

**CITY OF ONTARIO
CITY COUNCIL AND HOUSING AUTHORITY
AGENDA
JANUARY 19, 2016**

Paul S. Leon
Mayor

Debra Dorst-Porada
Mayor pro Tem

Alan D. Wapner
Council Member

Jim W. Bowman
Council Member

Paul Vincent Avila
Council Member



Al C. Boling
City Manager

John E. Brown
City Attorney

Mary E. Wirtes, MMC
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: 0113-281-13, 0113-282-15, 0113-282-17, and 1046-551-12; 2200-2400 East Philadelphia Street, 2325-2525 East Riverside Drive, 2455 East Riverside Drive, and the Northeast Corner of 8th Street and Campus Avenue; City/Authority Negotiator: Al C. Boling or his designee; Negotiating parties: City of Upland, a municipal corporation; Under negotiation: Price and terms of payment.
- GC 54956.8, CONFERENCE WITH REAL PROPERTY NEGOTIATORS
Property: APN: 1049-221-01; 616 East Sunkist Street; City/Authority Negotiator: Al C. Boling or his designee; Negotiating parties: MHG, Ontario, LLC, a Delaware limited liability company; Under negotiation: Price and terms of payment.
- GC 54956.9 (d)(2), CONFERENCE WITH LEGAL COUNSEL, ANTICIPATED LITIGATION:
Two (2) cases.

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

PLEDGE OF ALLEGIANCE

Council Member Avila

INVOCATION

Pastor Lisa Santiago, First United Methodist 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.

SPECIAL PRESENTATIONS – HEALTHY ONTARIO INITIATIVE BUILD

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.

I. APPROVAL OF MINUTES

Minutes for the regular meeting of the City Council/Housing Authority/Successor Agency to the Ontario Redevelopment Agency of December 1 and the City Council and Housing Authority of December 15, 2015, approving same as on file in the Records Management Department.

2. *BILLS/PAYROLL*

Bills November 1, 2015 through November 28, 2015 and **Payroll** November 1, 2015 through November 28, 2015, when audited by the Finance Committee.

3. *APPROVAL OF BOND FINANCING TEAM FOR LEGAL SERVICES AND INVESTMENT BANKING FOR ONTARIO RANCH BOND ISSUES*

That the City Council approve a bond financing team for future bond issues comprised as follows:

Bond and Disclosure Counsel:

- Orrick, Herrington & Sutcliffe, LLP of Los Angeles, CA
- Stradling, Yocca Carlson & Rauth of Newport Beach, CA
- Jones Hall of San Francisco, CA

Investment Bankers:

- Stiffel, Nicolaus & Company, Incorporated of San Francisco, CA
- Piper Jaffray & Company of Laguna Beach, CA
- Stearn Brothers & Company of Sherman Oaks, CA
- Raymond James of San Francisco, CA

Appraisers:

- Harris Realty Appraisal of Newport Beach, CA
- Kitty Siino & Associates of Tustin, CA
- Stephen White, MAI of Fullerton, CA

Special Tax Consultants:

- Goodwin Consulting Group of Sacramento, CA

Real Estate Economists:

- Empire Economics, Inc. of Capistrano Beach, CA

Financial Advisors:

- CSG Advisors of San Francisco, CA

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

That the City Council adopt a resolution for recovery of fees and costs incurred in abating property and dangerous building violations as well as administrative citations and civil penalties associated with property maintenance violations, and placing special assessments on the San Bernardino County Tax Rolls.

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, ADOPTING A REPORT REQUESTING THE PLACEMENT OF SPECIAL ASSESSMENTS ON PROPERTY TAX BILLS FOR CIVIL PENALTIES OR RECOVERY OF COSTS INCURRED FOR ABATEMENT OF VIOLATIONS OF CITY CODES AND ORDINANCES.

5. A CONSTRUCTION CONTRACT FOR THE FRANCIS STREET STORM DRAIN PROJECT/YOUNG & ASSOCIATES, INC.

That the City Council approve the plans and specifications, and award a construction contract (on file with the Records Management Department) to Young & Associates, Inc. for the Francis Street Storm Drain Project (SM9902) for the bid amount of \$9,042,522 plus a fifteen percent (15%) contingency in the amount of \$1,356,379 for a total authorized amount of \$10,398,901; and authorize the City Manager to execute said contract and related documents and file a Notice of Completion at the conclusion of construction activities.

6. PROFESSIONAL SERVICES AGREEMENT FOR HAZARDOUS MATERIALS COLLECTION AND DISPOSAL SERVICES/FILTER RECYCLING SERVICES, INC.

That the City Council award Contract No. 593 to Filter Recycling Services, Inc. of Bloomington, California, and authorize the City Manager to execute a one-year agreement (on file in the Records Management Department) for hazardous materials collection and disposal services with the option to extend for up to three additional one-year periods.

7. ONTARIO HOUSING AUTHORITY ANNUAL REPORT FOR FISCAL YEAR 2014-15

That the Board of the Ontario Housing Authority approve the Ontario Housing Authority Annual Report for Fiscal Year 2014-15 ("OHA Annual Report") (on file in the Records Management Department), and authorize the Executive Director to transmit to the California Department of Housing and Community Development the final Annual Report as required by State law.

8. CONSTRUCTION CONTRACT FOR THE REPLACEMENT AND INSTALLATION OF TREMCO ROOF SYSTEM AT DE ANZA COMMUNITY CENTER TINY TOT CLASSROOM/RITE-WAY ROOF CORPORATION

That the City Council award Contract No. MS 1516-8 to Rite-Way Roof Corporation, of Fontana, California, for the replacement and installation of a new Tremco Roof System at De Anza Community Center Tiny Tot Classroom in the amount of \$128,558 plus a contingency (\$10,000) for a total amount of \$138,558; authorize the City Manager to execute said contract (on file in the Records Management Department), and authorize the filing of the notice of completion at the conclusion of all construction activities related to the project.

9. A PROFESSIONAL SERVICES AGREEMENT FOR CONSULTING SERVICES ON ONTARIO RANCH DEVELOPMENT MATTERS AND THE CITY'S DEVELOPMENT IMPACT FEE PROGRAM/RH CONSULTING

That the City Council authorize the City Manager to execute a five-year professional services agreement (on file with the Records Management Department) with RH Consulting of La Quinta, California, with an estimated annual activity level of \$90,000 per year, to provide consulting services related to the development of Ontario Ranch; and assisting the City with its creation and administration of development and construction agreements, the City's Development Impact Fee Program, and the City's community facilities districts.

10. A DEVELOPMENT IMPACT FEE CREDIT AND REIMBURSEMENT AGREEMENT WITH BROOKCAL ONTARIO LLC (NEW HAVEN)

That the City Council authorize the City Manager to execute a Development Impact Fee Credit and Reimbursement Agreement (on file with the Records Management Department) with BrookCal Ontario LLC, a California limited liability company, for the construction of public infrastructure in the New Haven development project.

11. A RESOLUTION APPROVING FILE NO. PDCA15-004, A DEVELOPMENT CODE AMENDMENT ADDING REFERENCES A THROUGH H, AS FOLLOWS: [1] REFERENCE A (STYLE AND FORMAT PRINCIPLES) ESTABLISHES CONVENTIONS TO BE USED IN PREPARING AND REVISING THE ONTARIO DEVELOPMENT CODE; [2] REFERENCE B (ARCHITECTURAL STYLES) ESTABLISHES CONSISTENCY IN THE USE OF ARCHITECTURAL TERMINOLOGIES AND PROVIDES APPROPRIATE EXAMPLES OF ARCHITECTURAL STYLES; [3] REFERENCE C (DOWNTOWN ONTARIO DESIGN GUIDELINES) CONTAINS THE DOWNTOWN ONTARIO DESIGN GUIDELINES, ADOPTED BY THE ONTARIO CITY COUNCIL ON AUGUST 18, 1988, BY RESOLUTION NO. 98-102; [4] REFERENCE D (RESIDENTIAL DESIGN GUIDELINES) IS INTENDED TO ASSIST DESIGN PROFESSIONALS IN UNDERSTANDING THE CITY'S GOALS AND OBJECTIVES FOR CREATING HIGH QUALITY RESIDENTIAL DEVELOPMENT; [5] REFERENCE E (COMMERCIAL DESIGN GUIDELINES) IS INTENDED TO ASSIST DESIGN PROFESSIONALS IN UNDERSTANDING THE CITY'S GOALS AND OBJECTIVES FOR CREATING HIGH QUALITY COMMERCIAL DEVELOPMENT; [6] REFERENCE F (INDUSTRIAL DESIGN GUIDELINES) IS INTENDED TO ASSIST DESIGN PROFESSIONALS IN UNDERSTANDING THE CITY'S GOALS AND OBJECTIVES FOR CREATING HIGH QUALITY INDUSTRIAL DEVELOPMENT; [7] REFERENCE G (LANDSCAPE DESIGN AND CONSTRUCTION GUIDELINES) IS INTENDED TO ASSIST DESIGN PROFESSIONALS, LANDSCAPE CONTRACTORS AND HOMEOWNERS IN THEIR UNDERSTANDING OF THE CITY'S GOALS AND OBJECTIVES FOR THE PREPARATION OF LANDSCAPE CONSTRUCTION DOCUMENTATION PLANS, AND THE INSTALLATION OF LANDSCAPE MATERIALS AND ELEMENTS; AND [8] REFERENCE H (COMMUNITY CLIMATE ACTION PLAN) CONTAINS THE COMMUNITY CLIMATE ACTION PLAN, ADOPTED BY THE ONTARIO CITY COUNCIL ON DECEMBER 16, 2014, BY RESOLUTION NO. 2014-122.

That the City Council conduct a public hearing and approve a resolution approving the inclusion of various references materials into the Ontario Development Code, including: Reference A (Style and Format Principles), Reference B (Architectural Styles), Reference C (Downtown Ontario Design Guidelines), Reference D (Residential Design Guidelines), Reference E (Commercial Design Guidelines), Reference F (Industrial Design Guidelines), Reference G (Landscape Design and Construction Guidelines), and Reference H (Community Climate Action Plan).

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING FILE NO. PDCA15-004, A DEVELOPMENT CODE AMENDMENT ADDING REFERENCES A THROUGH H, AS FOLLOWS: [1] REFERENCE A (STYLE AND FORMAT PRINCIPLES) ESTABLISHING CONVENTIONS TO BE USED IN PREPARING AND REVISING THE ONTARIO DEVELOPMENT CODE; [2] REFERENCE B (ARCHITECTURAL STYLES) ESTABLISHING CONSISTENCY IN THE USE OF ARCHITECTURAL TERMINOLOGIES AND PROVIDING EXAMPLES OF ARCHITECTURAL STYLES; [3] REFERENCE C (DOWNTOWN ONTARIO DESIGN GUIDELINES) CONTAINING THE DOWNTOWN ONTARIO DESIGN GUIDELINES, ADOPTED BY THE ONTARIO CITY COUNCIL ON AUGUST 18, 1988; [4] REFERENCE D (RESIDENTIAL DESIGN GUIDELINES) TO ASSIST DESIGN PROFESSIONALS IN UNDERSTANDING THE CITY'S GOALS AND OBJECTIVES FOR CREATING HIGH QUALITY RESIDENTIAL DEVELOPMENT; [5] REFERENCE E (COMMERCIAL DESIGN GUIDELINES) TO ASSIST DESIGN PROFESSIONALS IN UNDERSTANDING THE CITY'S GOALS AND OBJECTIVES FOR CREATING HIGH QUALITY COMMERCIAL DEVELOPMENT; [6] REFERENCE F (INDUSTRIAL DESIGN GUIDELINES) TO ASSIST DESIGN PROFESSIONALS IN UNDERSTANDING THE CITY'S GOALS AND OBJECTIVES FOR CREATING HIGH QUALITY INDUSTRIAL DEVELOPMENT; [7] REFERENCE G (LANDSCAPE DESIGN AND CONSTRUCTION GUIDELINES) TO ASSIST DESIGN PROFESSIONALS, LANDSCAPE CONTRACTORS, AND HOMEOWNERS, IN THEIR UNDERSTANDING OF THE CITY'S GOALS AND OBJECTIVES FOR THE PREPARATION OF LANDSCAPE CONSTRUCTION DOCUMENTATION PLANS, AND THE INSTALLATION OF LANDSCAPE MATERIALS AND ELEMENTS; AND [8] REFERENCE H (COMMUNITY CLIMATE ACTION PLAN) CONTAINING THE COMMUNITY CLIMATE ACTION PLAN, ADOPTED BY THE ONTARIO CITY COUNCIL ON DECEMBER 16, 2014.

12. A DEVELOPMENT CODE AMENDMENT TO REVISE SECTION 9-1.3176, BILLBOARD RELOCATION AGREEMENTS, TO INCLUDE AN "INTERAGENCY RELOCATION EXCEPTION" TO PERMIT THE RELOCATION OF BILLBOARDS WITHIN THE CITY OF ONTARIO, PROVIDED THE BILLBOARDS MEET CERTAIN LOCATIONAL CRITERIA AND FINDINGS AND INCLUDE THE ELIMINATION OF OTHER BILLBOARDS WITHIN THE CITY

That the City Council consider and adopt an ordinance approving File No. PDCA15-002, amending Section 9-1.3176, Billboard Relocation Agreements, to include an "Interagency Relocation Exception" to permit the relocation of billboards within the City of Ontario, provided the billboards meet certain locational criteria and findings and include the elimination of other billboards within the City.

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING FILE NO. PDCA15-002, A REQUEST TO AMEND SECTION 9-1.3176 (SECTION 4.02.010 OF THE DEVELOPMENT CODE UPDATE), BILLBOARD RELOCATION AGREEMENTS, TO INCLUDE AN “INTERAGENCY RELOCATION EXCEPTION” TO RELOCATE BILLBOARDS TO THE CITY OF ONTARIO, PROVIDED THE BILLBOARDS MEET CERTAIN LOCATIONAL CRITERIA AND FINDINGS AND INCLUDE THE ELIMINATION OF OTHER BILLBOARDS WITHIN THE CITY.

13. EVERY 15 MINUTES GRANT PROGRAM FROM THE DEPARTMENT OF CALIFORNIA HIGHWAY PATROL

That the City Council authorize the acceptance of grant funds in the amount up to \$6,000 for the Every 15 Minutes Grant Program from the Department of California Highway Patrol.

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.

14. A PUBLIC HEARING TO CONSIDER A RESOLUTION REGARDING THE FORMATION OF CITY OF ONTARIO COMMUNITY FACILITIES DISTRICT NO. 36 (EUCALYPTUS 190); INTRODUCTION OF AN ORDINANCE LEVYING SPECIAL TAXES; AND ADOPTION OF A RESOLUTION TO INCUR BONDED INDEBTEDNESS

That the City Council:

- (A) Adopt a resolution establishing Community Facilities District No. 36 (Eucalyptus 190), authorizing the levy of special taxes within the community facilities district, and establishing an appropriations limit for the community facilities district;
- (B) Adopt a resolution deeming it necessary to incur bonded indebtedness within Community Facilities District No. 36 (Eucalyptus 190);
- (C) Adopt a resolution calling a special election for City of Ontario Community Facilities District No. 36 (Eucalyptus 190);
- (D) Adopt a resolution declaring the results of the special election and directing the recording of a Notice of Special Tax Lien;
- (E) Introduce and waive further reading of an ordinance levying special taxes within City of Ontario Community Facilities District No. 36 (Eucalyptus 190); and

- (F) Adopt a resolution authorizing the execution and delivery of an acquisition and funding agreement with Richland Ontario Developers, LLC, a Delaware Limited Liability Company.

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

Written communication.

Oral presentation.

Public hearing closed.

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, OF FORMATION OF THE CITY OF ONTARIO COMMUNITY FACILITIES DISTRICT NO. 36 (EUCALYPTUS 190), AUTHORIZING THE LEVY OF A SPECIAL TAX WITHIN THE COMMUNITY FACILITIES DISTRICT AND ESTABLISHING AN APPROPRIATIONS LIMIT FOR THE COMMUNITY FACILITIES DISTRICT.

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, DEEMING IT NECESSARY TO INCUR BONDED INDEBTEDNESS WITHIN THE CITY OF ONTARIO COMMUNITY FACILITIES DISTRICT NO. 36 (EUCALYPTUS 190).

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, CALLING SPECIAL ELECTION FOR CITY OF ONTARIO COMMUNITY FACILITIES DISTRICT NO. 36 (EUCALYPTUS 190).

RESOLUTION NO. _____

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

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, LEVYING SPECIAL TAXES WITHIN THE CITY OF ONTARIO COMMUNITY FACILITIES DISTRICT NO. 36 (EUCALYPTUS 190).

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, AUTHORIZING THE EXECUTION AND DELIVERY OF AN ACQUISITION AND FUNDING AGREEMENT WITH RICHLAND ONTARIO DEVELOPERS, LLC, A DELAWARE LIMITED LIABILITY COMPANY.

15. A PUBLIC HEARING TO CONSIDER A RESOLUTION APPROVING THE DESIGNATION OF THE JOHN J. VOSS HOUSE, LOCATED AT 428 EAST PLAZA SERENA STREET, AS A LOCAL LANDMARK

That the City Council adopt a resolution approving File No. PHP15-008, designating 428 East Plaza Serena Street (APN: 1048-072-21) as Local Landmark No. 96.

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. PHP15-008, THE DESIGNATION OF THE JOHN J. VOSS HOUSE, LOCATED AT 428 EAST PLAZA SERENA STREET, AS LOCAL HISTORIC LANDMARK NO. 96, AND MAKING FINDINGS IN SUPPORT THEREOF (APN: 1048-072-21).

16. INTRODUCTION OF ORDINANCES AMENDING CHAPTERS 3, 7 AND 8B OF TITLE 6 OF THE ONTARIO MUNICIPAL CODE RELATING TO SOLID WASTE, SEWER AND WATER SERVICES AND FEES

That the City Council conduct a public hearing to:

- (A) Consider all written protests against the proposed increases in the rates for solid waste, sewer and water services in accordance with California Constitution, Article XIII D, Section 6(a); and
- (B) Introduce and waive further reading of ordinances amending Chapter 3, of Title 6 of the Ontario Municipal Code related to solid waste services and authorizing increases to the rates for solid waste service charges and fees; and
- (C) Introduce and waive further reading of ordinances amending Chapter 7, of Title 6 of the Ontario Municipal Code related to sewer services and authorizing increases to the rates for sewer service charges and fees; and
- (D) Introduce and waive further reading of ordinances amending Chapter 8B, of Title 6 of the Ontario Municipal Code relating to water services and authorizing increases to the rates for water service charges and fees.

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

Written communication.

Oral presentation.

Public hearing closed.

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, AMENDING SUBDIVISIONS (D) AND (E) OF SECTION 6-8.52, OF CHAPTER 8B, OF TITLE 6 OF THE ONTARIO MUNICIPAL CODE RELATING TO WATER SERVICE CONNECTIONS; AND AMENDING SECTION 6-3.107 OF ARTICLE 1 OF CHAPTER 3, OF TITLE 6, ARTICLE 6 OF CHAPTER 3, OF TITLE 6, AND ADDING SECTIONS 6-3.604 AND 6-3.605 TO ARTICLE 6 OF CHAPTER 3, OF TITLE 6 OF THE ONTARIO MUNICIPAL CODE RELATING TO SOLID WASTE MANAGEMENT.

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, AUTHORIZING INCREASES TO THE RATES FOR ITS SOLID WASTE SERVICE CHARGES AND OTHER MISCELLANEOUS ONE-TIME SOLID WASTE FEES.

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, AUTHORIZING INCREASES TO THE RATES FOR ITS SEWER SERVICE CHARGES.

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, AUTHORIZING INCREASES TO THE RATES FOR ITS WATER SERVICE CHARGES, NEW METER CHARGES AND OTHER MISCELLANEOUS ONE-TIME WATER FEES.

STAFF MATTERS

City Manager Boling

COUNCIL MATTERS

CITY CLERK VACANCY

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)
January 19, 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: 0113-281-13, 0113-282-15, 0113-282-17, and 1046-551-12; 2200-2400 East Philadelphia Street, 2325-2525 East Riverside Drive, 2455 East Riverside Drive, and the Northeast Corner of 8th Street and Campus Avenue; City/Authority Negotiator: Al C. Boling or his designee; Negotiating parties: City of Upland, a municipal corporation; Under negotiation: Price and terms of payment.

No Reportable Action Continue Approved

/ / / / / /

Disposition: _____

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

- GC 54956.8, CONFERENCE WITH REAL PROPERTY NEGOTIATORS
Property: APN: 1049-221-01; 616 East Sunkist Street; City/Authority Negotiator: Al C. Boling or his designee; Negotiating parties: MHG, Ontario, LLC, a Delaware limited liability company; Under negotiation: Price and terms of payment.

No Reportable Action Continue Approved

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Disposition: _____

CITY OF ONTARIO
CLOSED SESSION REPORT
City Council / / Housing Authority // Other // (GC 54957.1)
January 19, 2016

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

- GC 54956.9 (d)(2), CONFERENCE WITH LEGAL COUNSEL, ANTICIPATED LITIGATION:
Two (2) cases.

No Reportable Action	Continue	Approved
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Disposition: _____

Reported by: _____
City Attorney / City Manager / Executive Director

CITY OF ONTARIO

Agenda Report
January 19, 2016

SECTION:
CONSENT CALENDAR

SUBJECT: APPROVAL OF BOND FINANCING TEAM FOR LEGAL SERVICES AND INVESTMENT BANKING FOR ONTARIO RANCH BOND ISSUES

RECOMMENDATION: That the City Council approve a bond financing team for future bond issues comprised as follows:

Bond and Disclosure Counsel:

- Orrick, Herrington & Sutcliffe, LLP of Los Angeles, CA
- Stradling, Yocca Carlson & Rauth of Newport Beach, CA
- Jones Hall of San Francisco, CA

Investment Bankers:

- Stiffel, Nicolaus & Company, Incorporated of San Francisco, CA
- Piper Jaffray & Company of Laguna Beach, CA
- Stearn Brothers & Company of Sherman Oaks, CA
- Raymond James of San Francisco, CA

Appraisers:

- Harris Realty Appraisal of Newport Beach, CA
- Kitty Siino & Associates of Tustin, CA
- Stephen White, MAI of Fullerton, CA

Special Tax Consultants:

- Goodwin Consulting Group of Sacramento, CA

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

Prepared by: Grant D. Yee
Department: Administrative Services

City Manager
Approval: 

Submitted to Council/O.H.A. 01/19/2016

Approved: _____

Continued to: _____

Denied: _____

3

Real Estate Economists:

- Empire Economics, Inc. of Capistrano Beach, CA

Financial Advisors:

- CSG Advisors of San Francisco, CA

**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: No specific financing proposals are recommended or authorized with this action. Accordingly, there are no fiscal impacts resulting from the approval of the proposed bond financing team. The cost of the services provided by each of the proposed firms for future financing activities will be funded by individual developers, and any bond proceeds amounts of future bond issuances will be consistent with the market at the time of issuance. Specific proposals to utilize bond financing for individual development projects will be presented to the City Council for its consideration at the time of issuance.

BACKGROUND: With the City Council's approval on July 21, 2015, of the Acquisition and Funding Agreement between the City and NMC Builders, Inc., and with the expected continuation of development in the Ontario Ranch, it is anticipated that over the next several years, the City will be acquiring completed and constructed public infrastructure facilities with bond financing which will require a variety of legal, investment banking and related services. It is recommended that the City establish a bond financing team in advance in order to provide the City with the flexibility to react quickly to financing situations that may arise and to take advantage of any existing favorable market conditions.

The firms recommended for the City's bond team have significant experience in municipal bond financing and many are familiar with the City's community facilities districts goals and policies, as well as the City's outstanding debt obligations and terms. The future selection of the specific bond team members to participate in particular financings will be determined on a case by case basis dependent upon the project's specific needs and other circumstances existing at the time of issuance. The City Council took similar actions and previously approved bond teams in anticipation of future financing needs in 2007 and 2013. The recommendations to include the investment banking, legal and related services providers as proposed are based on the following:

- Experience with municipal bonds;
- Staff qualifications;
- High quality of past performance with the City;
- Exceptional customer service; and
- Competitiveness of fees.

CITY OF ONTARIO

Agenda Report
January 19, 2016

SECTION:
CONSENT CALENDAR

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

RECOMMENDATION: That the City Council adopt a resolution for recovery of fees and costs incurred in abating property and dangerous building violations as well as administrative citations and civil penalties associated with property maintenance violations, and placing special assessments on the San Bernardino County Tax Rolls.

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

FISCAL IMPACT: The levy of special assessments will result in recovery of \$149,762 in costs that the City has expended for inspection or abatement of property violations as well as the collection of \$86,030 associated with civil penalties and/or fines for continued violations, for a total of \$235,792 related to 217 parcels. When received, reimbursement of \$190,263 will be made to the General Fund and \$45,529 to the Dangerous Building Fund.

BACKGROUND: The City has established revolving funds to cover City costs for abatement of property and dangerous building violations as a result of code enforcement activities as well as the generation of fines associated with administrative citations for property maintenance violations and fees and penalties associated with the Systematic Health and Safety Inspection Program, Abandoned and Distressed Property Program and Weed and Refuse Abatement Program. These costs, fines, fees and penalties are recovered through placement of special tax assessments upon the properties. The placement of special assessments and collection of revenue is done under Ordinance 2553, Property Appearance (Title 5, Chapter 22 of the Ontario Municipal Code); Chapter 9 of the Uniform Code for the Abatement of Dangerous Buildings; Ordinance 2920 for civil penalties for continued violations of the Ontario Municipal Code and fines associated with administrative citations (Title 1, Chapters 2 and 5 of the Ontario Municipal Code). The City and County currently have a contractual agreement regarding implementation of special assessments; however, a resolution authorizing the placement of the specific assessments is required.

STAFF MEMBER PRESENTING: Robert Gluck, Code Enforcement Director

Prepared by: Erin Bonett
Department: Code Enforcement

City Manager
Approval: 

Submitted to Council/O.H.A. 01/19/2016

Approved: _____

Continued to: _____

Denied: _____

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This assessment cycle, the Code Enforcement Department has billed property owners for the abatement of violations, the issuance of fines associated with administrative citations, the issuance of fees and penalties associated with the Systematic Health and Safety Inspection Program, the issuance of registration fees and civil penalties associated with the Abandoned and Distressed Property Program, and the issuance of notice and re-inspection fees as well as civil penalties for the Weed and Refuse Abatement Program on 375 parcels. Of this, there are remaining amounts due on 217 parcels. Attached are itemized accountings of: (1) costs associated with inspection or abatement as shown in Exhibit A of the resolution; (2) civil penalties and/or fines for continued violations as shown in Exhibit B of the resolution; and (3) total amounts per parcel as shown in Exhibit C of the resolution. The expenditure list, with any necessary corrections and adjustments, will be submitted to the County prior to August 2016 for its 2016-2017 tax rolls.

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

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, ADOPTING A REPORT REQUESTING THE PLACEMENT OF SPECIAL ASSESSMENTS ON PROPERTY TAX BILLS FOR CIVIL PENALTIES OR RECOVERY OF COSTS INCURRED FOR ABATEMENT OF VIOLATIONS OF CITY CODES AND ORDINANCES.

WHEREAS, Ordinance No. 2553, Property Appearance (Title 5, Chapter 22, of the Ontario Municipal Code) and Chapter 9 of the Uniform Code for the Abatement of Dangerous Buildings provide for the abatement of property nuisances by repair, rehabilitation, demolition or removal; and

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

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

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

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

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

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

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

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

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

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

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

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

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

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

PAUL S. LEON, MAYOR

ATTEST:

VICKI KASAD, MMC, ASSISTANT CITY CLERK

APPROVED AS TO LEGAL FORM:

BEST BEST & KRIEGER LLP
CITY ATTORNEY

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

I, VICKI KASAD, Assistant 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 January 19, 2016 by the following roll call vote, to wit:

AYES: COUNCIL MEMBERS:

NOES: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

VICKI KASAD, MMC, ASSISTANT 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 January 19, 2016.

VICKI KASAD, MMC, ASSISTANT CITY CLERK

(SEAL)

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

Parcel Number	Address	Amount Due
0108-306-01	1332 N EL DORADO AV, Ontario, CA 91764	46.05
0108-362-08	1524 E OLIVE ST, Ontario, CA 91764	157.05
0108-363-12	1524 E HIGHLAND CT, Ontario, CA 91764	1,659.04
0108-442-09	1386 E SIXTH ST, Ontario, CA 91764	603.74
0108-491-04	1703 E DEODAR ST, Ontario, CA 91764	300.45
0108-541-19	1646 E YALE ST, Ontario, CA 91764	49.47
0108-541-31	1718 E YALE ST, Ontario, CA 91764	20,110.00
0108-562-03	1809 E PRINCETON ST, Ontario, CA 91764	1,602.14
0108-571-38	1668 E HIGHLAND ST, Ontario, CA 91764	871.05
0108-612-16	1604 N EL DORADO AV, Ontario, CA 91764	918.76
0110-071-07	1387 E HOLT BL, Ontario, CA 91761	110.00
0110-111-12	1660 E HOLT BL, Ontario, CA 91761	660.00
0110-121-04	106 S WALKER AV, Ontario, CA 91761	110.00
0110-121-05	1486 E HOLT BL, Ontario, CA 91761	110.00
0110-153-01	1231 E G ST, Ontario, CA 91764	326.05
0110-153-14	816 N AMADOR AV, Ontario, CA 91764	229.72
0110-181-11	1610 E FOURTH ST, Ontario, CA 91764	660.00
0110-202-32	1005 N GLENN AV, Ontario, CA 91764	2,748.16
0110-241-33	1820 E G ST, Ontario, CA 91764	110.00
0110-241-54	1885 E G ST, Ontario, CA 91764	110.00
0110-422-02	1339 E FRESNO ST, Ontario, CA 91764	2,220.25
0110-424-09	921 N LASSEN AV, Ontario, CA 91764	101.55
0113-211-05	1241 E AIRPORT DR, Ontario, CA 91761	110.00
0113-211-06	1247 E AIRPORT DR, Ontario, CA 91761	110.00
0113-211-07	1255 E AIRPORT DR, Ontario, CA 91761	110.00
0113-351-09	1166 S MILDRED AV, Ontario, CA 91761	101.40
0113-395-41	2280 E LOCUST CT, Ontario, CA 91761	1,362.21
0113-422-15	0 E ACACIA ST, Ontario, CA 91761	110.00
0113-462-10	1485 E SPRUCE ST, Ontario, CA 91761	110.00
0113-462-19	1493 E SPRUCE ST, Ontario, CA 91761	110.00
0113-572-17	1744 E TAM O'SHANTER ST, Ontario, CA 91761	138.55
0209-331-25	1952 E DEODAR ST, Ontario, CA 91764	1,175.37
0210-191-31	600 N ARCHIBALD BL, Ontario, CA 91764	110.00
0210-204-09	0 E FOURTH ST, Ontario, CA 91764	67.00
0210-212-36	201 N PONDEROSA AV, Ontario, CA 91761	965.00
0210-301-46	2044 E HAWTHORNE CT, Ontario, CA 91764	2,452.38
0218-911-01	2943 E THOROUGHBRED ST, Ontario, CA 91761	286.55
0238-014-10	4451 E ONTARIO MILLS PW, Bldg:3, Unit:A, Ontario, CA 91764	83.05
1008-291-33	1535 N JASMINE CT, Ontario, CA 91762	83.05
1008-472-12	1027 W LA DENEY DR, Ontario, CA 91762	120.05
1008-571-34	1550 W HARVARD PL, Ontario, CA 91762	373.24
1008-572-14	1415 W HARVARD PL, Ontario, CA 91762	305.05

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

Parcel Number	Address	Amount Due
1008-572-24	1504 W FOURTH ST, Ontario, CA 91762	714.66
1010-093-09	1521 W J ST, Ontario, CA 91762	282.35
1010-095-10	958 N BENSON AV, Ontario, CA 91762	3,887.94
1010-104-08	1015 N FUCHSIA AV, Ontario, CA 91762	48.65
1010-105-07	1021 N ELDERBERRY AV, Ontario, CA 91762	563.35
1010-182-08	1023 W EL MORADO CT, Ontario, CA 91762	93.42
1010-413-08	1507 W FLORA ST, Ontario, CA 91762	434.55
1010-421-16	1538 W FAWN ST, Ontario, CA 91762	1,573.59
1010-435-21	1303 W E ST, Ontario, CA 91762	101.55
1010-446-02	1210 W D ST, Ontario, CA 91762	369.23
1010-446-03	1216 W D ST, Ontario, CA 91762	2,343.27
1010-452-25	515 N AZALEA AV, Ontario, CA 91762	172.75
1010-494-12	864 W HOLLOWELL ST, Ontario, CA 91762	157.05
1010-531-14	1326 W HOLLOWELL ST, Ontario, CA 91762	558.40
1010-533-17	1211 W HOLLOWELL ST, Ontario, CA 91762	103.68
1010-543-04	1240 W HOLT BL, Building:1, Ontario, CA 91762	831.28
1011-121-25	125 S OAKS AV, Building:1, Unit:B, Ontario, CA 91762	196.05
1011-361-08	1517 W MISSION BL, Ontario, CA 91762	268.05
1011-361-12	0 E MISSION BL, Ontario, CA 91762	110.00
1011-421-11	0 S ELDERBERRY AV, Ontario, CA 91762	110.00
1011-421-12	0 S ELDERBERRY AV, Ontario, CA 91762	110.00
1014-121-10	0 S OAKS AV, Ontario, CA 91762	915.00
1014-182-15	844 W JUNIPER ST, Ontario, CA 91762	2,435.50
1014-231-26	1605 S BENSON AV, Ontario, CA 91762	727.29
1047-201-05	826 E RICHLAND ST, Ontario, CA 91764	43.26
1047-212-03	1539 N MIRAMONTE AV, Ontario, CA 91764	101.55
1047-321-35	1394 N CHAFFEY CT, Ontario, CA 91762	175.55
1047-441-12	1314 N VIRGINIA AV, Ontario, CA 91764	70.07
1047-503-41	857 E FOURTH ST, Ontario, CA 91764	2,044.05
1047-511-20	1155 N CAMPUS AV, Ontario, CA 91764	46.71
1047-521-17	541 E PRINCETON ST, Ontario, CA 91764	5,298.02
1048-043-24	932 N LAUREL AV, Ontario, CA 91762	360.55
1048-111-14	763 E PLAZA SERENA ST, Ontario, CA 91764	3,040.05
1048-123-17	1023 E I ST, Ontario, CA 91764	1,288.92
1048-131-06	938 E FOURTH ST, Ontario, CA 91764	50.70
1048-203-04	822 E H ST, Ontario, CA 91764	101.55
1048-221-15	614 E I ST, Ontario, CA 91764	59.41
1048-252-07	212 E GRANADA CT, Ontario, CA 91764	3,753.57
1048-252-40	123 E H ST, Ontario, CA 91764	442.25
1048-305-12	705 W H ST, Ontario, CA 91762	1,727.39
1048-332-23	564 W D ST, Ontario, CA 91762	560.35
1048-351-03	215 W G ST, Ontario, CA 91762	1,335.05

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

Parcel Number	Address	Amount Due
1048-442-21	1083 E E ST, Ontario, CA 91764	596.03
1048-462-03	1086 E ELMA ST, Ontario, CA 91761	3,699.74
1048-492-48	945 E NOCTA ST, Ontario, CA 91761	126.76
1048-501-05	306 N CAMPUS AV, Ontario, CA 91761	1,547.99
1048-502-09	747 E NOCTA ST, Ontario, CA 91761	1,191.15
1048-512-11	765 E HOLT BL, Building:1, Ontario, CA 91761	85.12
1048-525-01	634 E NOCTA ST, Ontario, CA 91761	881.20
1048-525-12	127 N CAMPUS AV, Ontario, CA 91761	545.00
1048-534-10	311 N CAMPUS AV, Ontario, CA 91761	35.88
1048-566-05	317 N EUCLID AV, Building:1, Unit:A, Ontario, CA 91762	1,364.15
1048-566-11	324 N LAUREL AV, Ontario, CA 91762	5,768.60
1048-572-11	422 W B ST, Ontario, CA 91762	110.00
1048-572-13	214 N VINE AV, Ontario, CA 91762	110.00
1048-574-05	307 W B ST, Unit:1, Ontario, CA 91762	138.55
1048-581-52	309 N BEVERLY CT, Ontario, CA 91762	138.55
1049-011-08	769 W BROOKS ST, Ontario, CA 91762	110.00
1049-011-09	767 W BROOKS ST, Ontario, CA 91762	110.00
1049-055-05	201 W HOLT BL, Ontario, CA 91762	174.72
1049-059-03	413 W EMPORIA ST, Ontario, CA 91762	1,080.50
1049-071-05	234 E MAIN ST, Ontario, CA 91761	138.55
1049-102-15	810 E EMPORIA ST, Ontario, CA 91761	120.05
1049-131-04	918 E HOLT BL, Ontario, CA 91761	1,205.00
1049-141-20	1170 E HOLT BL, Ontario, CA 91761	110.00
1049-141-21	1170 E HOLT BL, Ontario, CA 91761	110.00
1049-141-22	1170 E HOLT BL, Ontario, CA 91761	110.00
1049-141-23	1176 E HOLT BL, Ontario, CA 91761	110.00
1049-141-24	1194 E HOLT BL, Ontario, CA 91761	110.00
1049-194-13	1096 E STATE ST, Ontario, CA 91761	865.00
1049-203-17	0 E ONTARIO BL, Ontario, CA 91761	349.00
1049-203-18	0 E ONTARIO BL, Ontario, CA 91761	634.00
1049-232-20	560 E PARK ST, Ontario, CA 91761	3,356.20
1049-233-03	636 E STATE ST, Ontario, CA 91761	3,126.70
1049-233-09	426 S CAMPUS AV, Ontario, CA 91761	2,616.31
1049-246-09	520 S CHERRY AV, Ontario, CA 91761	44.80
1049-247-07	428 S SULTANA AV, Ontario, CA 91761	1,800.32
1049-248-03	410 E PARK ST, Ontario, CA 91761	120.05
1049-253-09	215 E NEVADA ST, Ontario, CA 91761	110.00
1049-261-02	425 W SUNKIST ST, Ontario, CA 91762	1,424.45
1049-268-04	111 W NEVADA ST, Ontario, CA 91762	83.05
1049-274-08	301 W PARK ST, Ontario, CA 91762	490.05
1049-274-22	313 W PARK ST, Ontario, CA 91762	1,150.69
1049-333-04	209 W CARLTON ST, Unit:A, Ontario, CA 91762	60.81

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

Parcel Number	Address	Amount Due
1049-333-26	226 W MAITLAND ST, Ontario, CA 91762	3,508.79
1049-334-02	923 S VINE AV, Ontario, CA 91762	4,584.82
1049-343-08	334 E CARLTON ST, Ontario, CA 91761	1,782.95
1049-362-03	736 E CALIFORNIA ST, Ontario, CA 91761	110.00
1049-362-04	740 E CALIFORNIA ST, Ontario, CA 91761	110.00
1049-502-04	618 E MAITLAND ST, Ontario, CA 91761	1,463.75
1049-503-13	1104 S CAMPUS AV, Ontario, CA 91761	1,702.04
1049-531-31	1340 S SULTANA AV, Ontario, CA 91761	696.14
1050-031-38	1521 S SAN ANTONIO AV, Ontario, CA 91762	1,582.83
1050-051-01	1420 S EUCLID AV, Unit:A, Ontario, CA 91762	525.00
1050-071-25	236 E DE ANZA CI, Ontario, CA 91761	137.85
1050-101-08	641 E ELM ST, Ontario, CA 91761	323.55
1050-101-23	630 E DE ANZA ST, Ontario, CA 91761	354.35
1050-251-01	1727 S EUCLID AV, Ontario, CA 91761	3,550.95
1050-262-21	404 E LOCUST ST, Ontario, CA 91761	635.15
1050-361-40	453 W GREVILLEA ST, Ontario, CA 91762	1,012.00
1050-401-26	325 E GREVILLEA ST, Ontario, CA 91761	1,018.26
1050-411-32	1920 S MONTEREY AV, Ontario, CA 91761	235.55
1050-614-02	2112 S FERN AV, Ontario, CA 91762	1,465.34
1050-661-19	1459 S EUCLID AV, Unit:27, Ontario, CA 91761	43.94
1051-121-29	2241 S TAYLOR PL, Ontario, CA 91761	207.09
1051-131-15	931 E SHEARWATER ST, Ontario, CA 91761	138.55
1051-221-16	125 W GEYER CT, Ontario, CA 91762	1,368.40
1051-341-86	2701 S CUCAMONGA AV, Ontario, CA 91761	1,272.50
1051-351-29	1015 E TAM O'SHANTER CT, Ontario, CA 91761	1,629.46
1083-021-61	2522 E RICHMOND ST, Ontario, CA 91761	43.94
1083-071-19	0 S ARCHIBALD AV, Ontario, CA 91761	660.00
1083-071-20	0 S ARCHIBALD AV, Ontario, CA 91761	660.00
1083-361-02	11130 E RIVERSIDE DRIVE	1,171.74
1083-381-26	3553 E SHADOW CREEK WY, Ontario, CA 91761	342.05
1083-442-76	2858 S MILL CREEK RD, Ontario, CA 91761	1,553.78
1083-451-29	3703 E COUNTRY OAKS LP, Unit:A, Ontario, CA 91761	54.93
1083-451-50	3715 E COUNTRY OAKS LP, Unit:F, Ontario, CA 91761	54.93

Total 149,762.59

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

Parcel Number	Address	Amount Due
0108-307-04	1435 E FIFTH ST, Ontario, CA 91764	220.00
0108-401-02	1851 N DEL NORTE AV, Ontario, CA 91764	2,670.93
0108-442-07	1374 E SIXTH ST, Ontario, CA 91764	1,000.00
0108-493-13	1504 N MADERA AV, Ontario, CA 91764	320.00
0108-551-32	1736 E PRINCETON ST, Ontario, CA 91764	220.00
0108-611-01	1332 E SEVENTH ST, Ontario, CA 91764	70.00
0110-013-29	404 N GLENN PL, Ontario, CA 91764	120.00
0110-061-01	1375 E HOLT BL, Ontario, CA 91761	880.00
0110-071-06	1377 E HOLT BL, Ontario, CA 91761	550.00
0110-111-11	1654 E HOLT BL, Ontario, CA 91761	550.00
0110-347-01	944 N MARIPOSA AV, Ontario, CA 91764	220.00
0110-514-01	702 N BAKER AV, Ontario, CA 91764	520.00
0113-351-15	1261 S GROVE AV, Ontario, CA 91761	120.00
0113-415-03	1750 E ACACIA ST, Ontario, CA 91761	220.00
0210-193-14	3480 E SHELBY ST, Ontario, CA 91764	550.00
0210-205-04	3633 E INLAND EMPIRE BL, Bldg:1, Unit:550, Ontario, CA 91764	760.00
0210-321-08	1384 N CARLOS PL, Ontario, CA 91764	120.00
0216-173-06	8657 E RIVERSIDE DR, Ontario, CA 91761	70.00
0216-301-02	2751 S WALKER AV, Ontario, CA 91761	70.00
0216-471-30	1231 E COTTONWOOD ST, Ontario, CA 91761	50.00
1008-532-03	1008 W YALE ST, Ontario, CA 91762	120.00
1010-234-05	1521 W H ST, Ontario, CA 91762	686.71
1011-221-16	1560 W MISSION BL, Ontario, CA 91762	550.00
1011-571-10	1259 S MAGNOLIA AV, Ontario, CA 91762	170.00
1014-541-09	2064 S MAGNOLIA AV, Ontario, CA 91762	170.00
1014-561-40	0 S OAKS AV, Ontario, CA 91762	550.00
1015-122-21	2227 S FUCHSIA AV, Ontario, CA 91762	1,945.00
1046-511-18	0 E EIGHTH ST, Ontario, CA 91764	550.00
1047-141-12	1826 N VIRGINIA AV, Ontario, CA 91764	320.00
1047-214-08	1519 N PLEASANT AV, Ontario, CA 91764	20,000.00
1047-301-15	1407 N SAN ANTONIO AV, Ontario, CA 91762	120.00
1047-321-46	662 W FIFTH ST, Ontario, CA 91762	640.00
1047-372-10	622 E BONNIE BRAE CT, Ontario, CA 91764	170.00
1047-413-15	1340 N ALLYN AV, Ontario, CA 91764	1,000.00
1047-543-29	407 E FOURTH ST, Ontario, CA 91764	16,200.00
1048-043-04	111 W J ST, Ontario, CA 91762	490.00
1048-113-04	820 E PLAZA SERENA ST, Ontario, CA 91764	120.00
1048-121-13	930 N LA PALOMA AV, Ontario, CA 91764	50.00
1048-131-28	1023 N CUCAMONGA AV, Ontario, CA 91764	550.00
1048-161-29	815 N ALAMEDA AV, Ontario, CA 91764	170.00
1048-182-07	930 E H ST, Ontario, CA 91764	640.00
1048-211-04	822 N BERLYN AV, Ontario, CA 91764	120.00

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

Parcel Number	Address	Amount Due
1048-252-26	331 E H ST, Ontario, CA 91764	640.00
1048-366-01	206 E G ST, Ontario, CA 91764	370.00
1048-382-11	525 N MONTEREY AV, Ontario, CA 91764	170.00
1049-221-28	534 E SUNKIST ST, Ontario, CA 91761	170.00
1049-242-10	122 E PARK ST, Ontario, CA 91761	120.00
1049-243-11	213 E PARK ST, Ontario, CA 91761	120.00
1049-272-03	421 W PARK ST, Ontario, CA 91762	3,822.75
1049-291-07	633 W SUNKIST ST, Ontario, CA 91762	1,745.13
1049-601-36	1335 S BONITA PL, Ontario, CA 91762	150.00
1050-111-11	1425 S CAMPUS AV, Ontario, CA 91761	150.00
1050-291-24	456 W FRANCIS ST, Ontario, CA 91762	220.00
1050-621-43	2017 S OAKLAND AV, Ontario, CA 91762	250.00
1051-011-36	647 W PHILADELPHIA ST, Ontario, CA 91762	20,189.10
1051-101-55	2313 S PLEASANT AV, Ontario, CA 91761	120.00
1083-011-05	2410 S ARCHIBALD AV, Ontario, CA 91761	760.00
1083-451-72	3733 E COUNTRY OAKS LP, Unit:H, Ontario, CA 91761	2,400.00
Total		86,029.62

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

Parcel Number	Address	Amount Due
0108-306-01	1332 N EL DORADO AV, Ontario, CA 91764	46.05
0108-307-04	1435 E FIFTH ST, Ontario, CA 91764	220.00
0108-362-08	1524 E OLIVE ST, Ontario, CA 91764	157.05
0108-363-12	1524 E HIGHLAND CT, Ontario, CA 91764	1,659.04
0108-401-02	1851 N DEL NORTE AV, Ontario, CA 91764	2,670.93
0108-442-07	1374 E SIXTH ST, Ontario, CA 91764	1,000.00
0108-442-09	1386 E SIXTH ST, Ontario, CA 91764	603.74
0108-491-04	1703 E DEODAR ST, Ontario, CA 91764	300.45
0108-493-13	1504 N MADERA AV, Ontario, CA 91764	320.00
0108-541-19	1646 E YALE ST, Ontario, CA 91764	49.47
0108-541-31	1718 E YALE ST, Ontario, CA 91764	20,110.00
0108-551-32	1736 E PRINCETON ST, Ontario, CA 91764	220.00
0108-562-03	1809 E PRINCETON ST, Ontario, CA 91764	1,602.14
0108-571-38	1668 E HIGHLAND ST, Ontario, CA 91764	871.05
0108-611-01	1332 E SEVENTH ST, Ontario, CA 91764	70.00
0108-612-16	1604 N EL DORADO AV, Ontario, CA 91764	918.76
0110-013-29	404 N GLENN PL, Ontario, CA 91764	120.00
0110-061-01	1375 E HOLT BL, Ontario, CA 91761	880.00
0110-071-06	1377 E HOLT BL, Ontario, CA 91761	550.00
0110-071-07	1387 E HOLT BL, Ontario, CA 91761	110.00
0110-111-11	1654 E HOLT BL, Ontario, CA 91761	550.00
0110-111-12	1660 E HOLT BL, Ontario, CA 91761	660.00
0110-121-04	106 S WALKER AV, Ontario, CA 91761	110.00
0110-121-05	1486 E HOLT BL, Ontario, CA 91761	110.00
0110-153-01	1231 E G ST, Ontario, CA 91764	326.05
0110-153-14	816 N AMADOR AV, Ontario, CA 91764	229.72
0110-181-11	1610 E FOURTH ST, Ontario, CA 91764	660.00
0110-202-32	1005 N GLENN AV, Ontario, CA 91764	2,748.16
0110-241-33	1820 E G ST, Ontario, CA 91764	110.00
0110-241-54	1885 E G ST, Ontario, CA 91764	110.00
0110-347-01	944 N MARIPOSA AV, Ontario, CA 91764	220.00
0110-422-02	1339 E FRESNO ST, Ontario, CA 91764	2,220.25
0110-424-09	921 N LASSEN AV, Ontario, CA 91764	101.55
0110-514-01	702 N BAKER AV, Ontario, CA 91764	520.00
0113-211-05	1241 E AIRPORT DR, Ontario, CA 91761	110.00
0113-211-06	1247 E AIRPORT DR, Ontario, CA 91761	110.00
0113-211-07	1255 E AIRPORT DR, Ontario, CA 91761	110.00
0113-351-09	1166 S MILDRED AV, Ontario, CA 91761	101.40
0113-351-15	1261 S GROVE AV, Ontario, CA 91761	120.00
0113-395-41	2280 E LOCUST CT, Ontario, CA 91761	1,362.21
0113-415-03	1750 E ACACIA ST, Ontario, CA 91761	220.00
0113-422-15	0 E ACACIA ST, Ontario, CA 91761	110.00

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

Parcel Number	Address	Amount Due
0113-462-10	1485 E SPRUCE ST, Ontario, CA 91761	110.00
0113-462-19	1493 E SPRUCE ST, Ontario, CA 91761	110.00
0113-572-17	1744 E TAM O'SHANTER ST, Ontario, CA 91761	138.55
0209-331-25	1952 E DEODAR ST, Ontario, CA 91764	1,175.37
0210-191-31	600 N ARCHIBALD BL, Ontario, CA 91764	110.00
0210-193-14	3480 E SHELBY ST, Ontario, CA 91764	550.00
0210-204-09	0 E FOURTH ST, Ontario, CA 91764	67.00
0210-205-04	3633 E INLAND EMPIRE BL, Bldg:1, Unit:550, Ontario, CA 91764	760.00
0210-212-36	201 N PONDEROSA AV, Ontario, CA 91761	965.00
0210-301-46	2044 E HAWTHORNE CT, Ontario, CA 91764	2,452.38
0210-321-08	1384 N CARLOS PL, Ontario, CA 91764	120.00
0216-173-06	8657 E RIVERSIDE DR, Ontario, CA 91761	70.00
0216-301-02	2751 S WALKER AV, Ontario, CA 91761	70.00
0216-471-30	1231 E COTTONWOOD ST, Ontario, CA 91761	50.00
0218-911-01	2943 E THOROUGHBRED ST, Ontario, CA 91761	286.55
0238-014-10	4451 E ONTARIO MILLS PW, Bldg:3, Unit:A, Ontario, CA 91764	83.05
1008-291-33	1535 N JASMINE CT, Ontario, CA 91762	83.05
1008-472-12	1027 W LA DENEY DR, Ontario, CA 91762	120.05
1008-532-03	1008 W YALE ST, Ontario, CA 91762	120.00
1008-571-34	1550 W HARVARD PL, Ontario, CA 91762	373.24
1008-572-14	1415 W HARVARD PL, Ontario, CA 91762	305.05
1008-572-24	1504 W FOURTH ST, Ontario, CA 91762	714.66
1010-093-09	1521 W J ST, Ontario, CA 91762	282.35
1010-095-10	958 N BENSON AV, Ontario, CA 91762	3,887.94
1010-104-08	1015 N FUCHSIA AV, Ontario, CA 91762	48.65
1010-105-07	1021 N ELDERBERRY AV, Ontario, CA 91762	563.35
1010-182-08	1023 W EL MORADO CT, Ontario, CA 91762	93.42
1010-234-05	1521 W H ST, Ontario, CA 91762	686.71
1010-413-08	1507 W FLORA ST, Ontario, CA 91762	434.55
1010-421-16	1538 W FAWN ST, Ontario, CA 91762	1,573.59
1010-435-21	1303 W E ST, Ontario, CA 91762	101.55
1010-446-02	1210 W D ST, Ontario, CA 91762	369.23
1010-446-03	1216 W D ST, Ontario, CA 91762	2,343.27
1010-452-25	515 N AZALEA AV, Ontario, CA 91762	172.75
1010-494-12	864 W HOLLOWELL ST, Ontario, CA 91762	157.05
1010-531-14	1326 W HOLLOWELL ST, Ontario, CA 91762	558.40
1010-533-17	1211 W HOLLOWELL ST, Ontario, CA 91762	103.68
1010-543-04	1240 W HOLT BL, Building:1, Ontario, CA 91762	831.28
1011-121-25	125 S OAKS AV, Building:1, Unit:B, Ontario, CA 91762	196.05
1011-221-16	1560 W MISSION BL, Ontario, CA 91762	550.00
1011-361-08	1517 W MISSION BL, Ontario, CA 91762	268.05
1011-361-12	0 E MISSION BL, Ontario, CA 91762	110.00

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

Parcel Number	Address	Amount Due
1011-421-11	0 S ELDERBERRY AV, Ontario, CA 91762	110.00
1011-421-12	0 S ELDERBERRY AV, Ontario, CA 91762	110.00
1011-571-10	1259 S MAGNOLIA AV, Ontario, CA 91762	170.00
1014-121-10	0 S OAKS AV, Ontario, CA 91762	915.00
1014-182-15	844 W JUNIPER ST, Ontario, CA 91762	2,435.50
1014-231-26	1605 S BENSON AV, Ontario, CA 91762	727.29
1014-541-09	2064 S MAGNOLIA AV, Ontario, CA 91762	170.00
1014-561-40	0 S OAKS AV, Ontario, CA 91762	550.00
1015-122-21	2227 S FUCHSIA AV, Ontario, CA 91762	1,945.00
1046-511-18	0 E EIGHTH ST, Ontario, CA 91764	550.00
1047-141-12	1826 N VIRGINIA AV, Ontario, CA 91764	320.00
1047-201-05	826 E RICHLAND ST, Ontario, CA 91764	43.26
1047-212-03	1539 N MIRAMONTE AV, Ontario, CA 91764	101.55
1047-214-08	1519 N PLEASANT AV, Ontario, CA 91764	20,000.00
1047-301-15	1407 N SAN ANTONIO AV, Ontario, CA 91762	120.00
1047-321-35	1394 N CHAFFEY CT, Ontario, CA 91762	175.55
1047-321-46	662 W FIFTH ST, Ontario, CA 91762	640.00
1047-372-10	622 E BONNIE BRAE CT, Ontario, CA 91764	170.00
1047-413-15	1340 N ALLYN AV, Ontario, CA 91764	1,000.00
1047-441-12	1314 N VIRGINIA AV, Ontario, CA 91764	70.07
1047-503-41	857 E FOURTH ST, Ontario, CA 91764	2,044.05
1047-511-20	1155 N CAMPUS AV, Ontario, CA 91764	46.71
1047-521-17	541 E PRINCETON ST, Ontario, CA 91764	5,298.02
1047-543-29	407 E FOURTH ST, Ontario, CA 91764	16,200.00
1048-043-04	111 W J ST, Ontario, CA 91762	490.00
1048-043-24	932 N LAUREL AV, Ontario, CA 91762	360.55
1048-111-14	763 E PLAZA SERENA ST, Ontario, CA 91764	3,040.05
1048-113-04	820 E PLAZA SERENA ST, Ontario, CA 91764	120.00
1048-121-13	930 N LA PALOMA AV, Ontario, CA 91764	50.00
1048-123-17	1023 E I ST, Ontario, CA 91764	1,288.92
1048-131-06	938 E FOURTH ST, Ontario, CA 91764	50.70
1048-131-28	1023 N CUCAMONGA AV, Ontario, CA 91764	550.00
1048-161-29	815 N ALAMEDA AV, Ontario, CA 91764	170.00
1048-182-07	930 E H ST, Ontario, CA 91764	640.00
1048-203-04	822 E H ST, Ontario, CA 91764	101.55
1048-211-04	822 N BERLYN AV, Ontario, CA 91764	120.00
1048-221-15	614 E I ST, Ontario, CA 91764	59.41
1048-252-07	212 E GRANADA CT, Ontario, CA 91764	3,753.57
1048-252-26	331 E H ST, Ontario, CA 91764	640.00
1048-252-40	123 E H ST, Ontario, CA 91764	442.25
1048-305-12	705 W H ST, Ontario, CA 91762	1,727.39
1048-332-23	564 W D ST, Ontario, CA 91762	560.35

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

Parcel Number	Address	Amount Due
1048-351-03	215 W G ST, Ontario, CA 91762	1,335.05
1048-366-01	206 E G ST, Ontario, CA 91764	370.00
1048-382-11	525 N MONTEREY AV, Ontario, CA 91764	170.00
1048-442-21	1083 E E ST, Ontario, CA 91764	596.03
1048-462-03	1086 E ELMA ST, Ontario, CA 91761	3,699.74
1048-492-48	945 E NOCTA ST, Ontario, CA 91761	126.76
1048-501-05	306 N CAMPUS AV, Ontario, CA 91761	1,547.99
1048-502-09	747 E NOCTA ST, Ontario, CA 91761	1,191.15
1048-512-11	765 E HOLT BL, Building:1, Ontario, CA 91761	85.12
1048-525-01	634 E NOCTA ST, Ontario, CA 91761	881.20
1048-525-12	127 N CAMPUS AV, Ontario, CA 91761	545.00
1048-534-10	311 N CAMPUS AV, Ontario, CA 91761	35.88
1048-566-05	317 N EUCLID AV, Building:1, Unit:A, Ontario, CA 91762	1,364.15
1048-566-11	324 N LAUREL AV, Ontario, CA 91762	5,768.60
1048-572-11	422 W B ST, Ontario, CA 91762	110.00
1048-572-13	214 N VINE AV, Ontario, CA 91762	110.00
1048-574-05	307 W B ST, Unit:1, Ontario, CA 91762	138.55
1048-581-52	309 N BEVERLY CT, Ontario, CA 91762	138.55
1049-011-08	769 W BROOKS ST, Ontario, CA 91762	110.00
1049-011-09	767 W BROOKS ST, Ontario, CA 91762	110.00
1049-055-05	201 W HOLT BL, Ontario, CA 91762	174.72
1049-059-03	413 W EMPORIA ST, Ontario, CA 91762	1,080.50
1049-071-05	234 E MAIN ST, Ontario, CA 91761	138.55
1049-102-15	810 E EMPORIA ST, Ontario, CA 91761	120.05
1049-131-04	918 E HOLT BL, Ontario, CA 91761	1,205.00
1049-141-20	1170 E HOLT BL, Ontario, CA 91761	110.00
1049-141-21	1170 E HOLT BL, Ontario, CA 91761	110.00
1049-141-22	1170 E HOLT BL, Ontario, CA 91761	110.00
1049-141-23	1176 E HOLT BL, Ontario, CA 91761	110.00
1049-141-24	1194 E HOLT BL, Ontario, CA 91761	110.00
1049-194-13	1096 E STATE ST, Ontario, CA 91761	865.00
1049-203-17	0 E ONTARIO BL, Ontario, CA 91761	349.00
1049-203-18	0 E ONTARIO BL, Ontario, CA 91761	634.00
1049-221-28	534 E SUNKIST ST, Ontario, CA 91761	170.00
1049-232-20	560 E PARK ST, Ontario, CA 91761	3,356.20
1049-233-03	636 E STATE ST, Ontario, CA 91761	3,126.70
1049-233-09	426 S CAMPUS AV, Ontario, CA 91761	2,616.31
1049-242-10	122 E PARK ST, Ontario, CA 91761	120.00
1049-243-11	213 E PARK ST, Ontario, CA 91761	120.00
1049-246-09	520 S CHERRY AV, Ontario, CA 91761	44.80
1049-247-07	428 S SULTANA AV, Ontario, CA 91761	1,800.32
1049-248-03	410 E PARK ST, Ontario, CA 91761	120.05

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

Parcel Number	Address	Amount Due
1049-253-09	215 E NEVADA ST, Ontario, CA 91761	110.00
1049-261-02	425 W SUNKIST ST, Ontario, CA 91762	1,424.45
1049-268-04	111 W NEVADA ST, Ontario, CA 91762	83.05
1049-272-03	421 W PARK ST, Ontario, CA 91762	3,822.75
1049-274-08	301 W PARK ST, Ontario, CA 91762	490.05
1049-274-22	313 W PARK ST, Ontario, CA 91762	1,150.69
1049-291-07	633 W SUNKIST ST, Ontario, CA 91762	1,745.13
1049-333-04	209 W CARLTON ST, Unit:A, Ontario, CA 91762	60.81
1049-333-26	226 W MAITLAND ST, Ontario, CA 91762	3,508.79
1049-334-02	923 S VINE AV, Ontario, CA 91762	4,584.82
1049-343-08	334 E CARLTON ST, Ontario, CA 91761	1,782.95
1049-362-03	736 E CALIFORNIA ST, Ontario, CA 91761	110.00
1049-362-04	740 E CALIFORNIA ST, Ontario, CA 91761	110.00
1049-502-04	618 E MAITLAND ST, Ontario, CA 91761	1,463.75
1049-503-13	1104 S CAMPUS AV, Ontario, CA 91761	1,702.04
1049-531-31	1340 S SULTANA AV, Ontario, CA 91761	696.14
1049-601-36	1335 S BONITA PL, Ontario, CA 91762	150.00
1050-031-38	1521 S SAN ANTONIO AV, Ontario, CA 91762	1,582.83
1050-051-01	1420 S EUCLID AV, Unit:A, Ontario, CA 91762	525.00
1050-071-25	236 E DE ANZA CI, Ontario, CA 91761	137.85
1050-101-08	641 E ELM ST, Ontario, CA 91761	323.55
1050-101-23	630 E DE ANZA ST, Ontario, CA 91761	354.35
1050-111-11	1425 S CAMPUS AV, Ontario, CA 91761	150.00
1050-251-01	1727 S EUCLID AV, Ontario, CA 91761	3,550.95
1050-262-21	404 E LOCUST ST, Ontario, CA 91761	635.15
1050-291-24	456 W FRANCIS ST, Ontario, CA 91762	220.00
1050-361-40	453 W GREVILLEA ST, Ontario, CA 91762	1,012.00
1050-401-26	325 E GREVILLEA ST, Ontario, CA 91761	1,018.26
1050-411-32	1920 S MONTEREY AV, Ontario, CA 91761	235.55
1050-614-02	2112 S FERN AV, Ontario, CA 91762	1,465.34
1050-621-43	2017 S OAKLAND AV, Ontario, CA 91762	250.00
1050-661-19	1459 S EUCLID AV, Unit:27, Ontario, CA 91761	43.94
1051-011-36	647 W PHILADELPHIA ST, Ontario, CA 91762	20,189.10
1051-101-55	2313 S PLEASANT AV, Ontario, CA 91761	120.00
1051-121-29	2241 S TAYLOR PL, Ontario, CA 91761	207.09
1051-131-15	931 E SHEARWATER ST, Ontario, CA 91761	138.55
1051-221-16	125 W GEYER CT, Ontario, CA 91762	1,368.40
1051-341-86	2701 S CUCAMONGA AV, Ontario, CA 91761	1,272.50
1051-351-29	1015 E TAM O'SHANTER CT, Ontario, CA 91761	1,629.46
1083-011-05	2410 S ARCHIBALD AV, Ontario, CA 91761	760.00
1083-021-61	2522 E RICHMOND ST, Ontario, CA 91761	43.94
1083-071-19	0 S ARCHIBALD AV, Ontario, CA 91761	660.00

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

Parcel Number	Address	Amount Due
1083-071-20	0 S ARCHIBALD AV, Ontario, CA 91761	660.00
1083-361-02	11130 E RIVERSIDE DRIVE	1,171.74
1083-381-26	3553 E SHADOW CREEK WY, Ontario, CA 91761	342.05
1083-442-76	2858 S MILL CREEK RD, Ontario, CA 91761	1,553.78
1083-451-29	3703 E COUNTRY OAKS LP, Unit:A, Ontario, CA 91761	54.93
1083-451-50	3715 E COUNTRY OAKS LP, Unit:F, Ontario, CA 91761	54.93
1083-451-72	3733 E COUNTRY OAKS LP, Unit:H, Ontario, CA 91761	2,400.00
Total		235,792.21

CITY OF ONTARIO

Agenda Report
January 19, 2016

SECTION:
CONSENT CALENDAR

SUBJECT: A CONSTRUCTION CONTRACT FOR THE FRANCIS STREET STORM DRAIN PROJECT

RECOMMENDATION: That the City Council approve the plans and specifications, and award a construction contract (on file with the Records Management Department) to Young & Associates, Inc. for the Francis Street Storm Drain Project (SM9902) for the bid amount of \$9,042,522 plus a fifteen percent (15%) contingency in the amount of \$1,356,379 for a total authorized amount of \$10,398,901; and authorize the City Manager to execute said contract and related documents and file a Notice of Completion at the conclusion of construction activities.

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 adopted FY 2014-15 Budget includes appropriations for the construction of the Francis Street Storm Drain Project in the amount of \$10,700,000. Per the Funding Agreement with the San Bernardino County Flood Control District (SBCFCD), the City's share is 25% of the actual storm drain construction cost plus 100% of the street improvement costs. The City's share, including contingency, is estimated at \$4,245,598 and will come from the Old Model Colony Storm Drain Development Impact Fees. The 15% contingency is recommended due to possible unforeseen conditions during the construction of the project.

BACKGROUND: The Francis Street Storm Drain Project is a regional Master Plan facility that drains 670 acres. The storm drain is located in Francis Street, from West Cucamonga Creek Channel to Bon View Avenue; a project location map has been provided for reference as Exhibit "A". The storm drain project consists of installation of reinforced concrete pipes of various sizes ranging from 18-inch to 120-inch diameter, construction of a concrete channel connection and improvements, catch basins, and other drainage appurtenances. This project also includes the construction of water improvements, curb, gutter and sidewalk, installation of street lights and traffic signal modifications, construction of Asphalt Rubber Hot Mix (ARHM) overlay from Campus Avenue to West Cucamonga Creek Channel, concrete pavement, landscaping and irrigation, and placement of traffic striping, markings and markers.

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

Prepared by: Tricia Espinoza, P.E.
Department: Engineering

City Manager
Approval: 

Submitted to Council/O.H.A. 01/19/2016

Approved: _____

Continued to: _____

Denied: _____

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At the completion of the project, the flooding in Francis Street and Grove Avenue during rain storms will be minimized and improve the driving conditions and pedestrian access and safety throughout the area.

The City solicited bids for this project; and on December 16, 2015, 9 bids were received as summarized below:

COMPANY	LOCATION	TOTAL BID AWARD
Young & Associates, Inc.	San Marino, CA	\$9,042,522
MCC Pipeline, Inc.	Yucaipa, CA	\$9,543,039
Utah Pacific Construction Co.	Murrieta, CA	\$9,875,234
Apple Valley Construction, Inc.	Apple Valley, CA	\$10,026,823
Weka, Inc.	Highland, CA	\$11,229,162
Sully-Miller Contracting Company	Brea, CA	\$11,441,000
Christensen Brothers	Apple Valley, CA	\$11,537,748
Mamco/Alabbasi	Perris, CA	\$12,668,540
Steve P. Rados	Santa Ana, CA	\$17,494,986

Young & Associates submitted the lowest responsive bid and has performed similar work in a satisfactory manner.

FRANCIS STREET STORM DRAIN PROJECT

Project No. SM9902

CAMPUS AVE. TO WEST CUCAMONGA CREEK CHANNEL

THOMAS BROTHERS MAP PG. 642 GRID D4 - J4



CITY OF ONTARIO

Agenda Report
January 19, 2016

SECTION:
CONSENT CALENDAR

SUBJECT: PROFESSIONAL SERVICES AGREEMENT FOR HAZARDOUS MATERIALS COLLECTION AND DISPOSAL SERVICES

RECOMMENDATION: That the City Council award Contract No. 593 to Filter Recycling Services, Inc. of Bloomington, California, and authorize the City Manager to execute a one-year agreement (on file in the Records Management Department) for hazardous materials collection and disposal services with the option to extend for up to three additional one-year periods.

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 City budgets approximately \$65,000 annually for the containment, collection and disposal of hazardous materials. Funding for these services is included in the operating budgets for the Fire Department, Police Department, Community and Public Services Agency, and the Ontario Municipal Utilities Company. The recommended agreement would establish labor, materials and equipment billing rates for the initial term as well as optional extension periods. Expenditures are fairly predictable for departments with the exception of the Fire Department. Fire expenditures for any given year vary dependent upon the number of cleanups and calls for service. The current fiscal year expenditures are estimated to exceed the current budget by \$20,000. If approved, appropriations of \$20,000 will be requested in the next quarterly budget report to City Council. Continuation of the agreement under the same fee structure would be contingent upon approval of the respective future fiscal years' budgets by the City Council. Contracting for goods and services on a multi-year basis allows the City to: limit yearly increases to the bid amount; eliminate man-hours in re-bidding the contract annually; and project estimated future costs. The amounts for future years will be based on City Council approved budget amounts and departmental requirements for service.

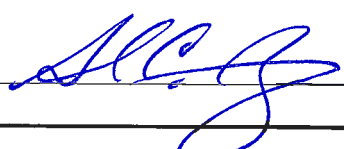
BACKGROUND: The Ontario Fire Department's HazMat Team routinely responds to calls for service involving the illegal or accidental release of hazardous waste or materials on public property. These incidents require immediate action to contain and dispose of the hazardous materials. Additionally, the

STAFF MEMBER PRESENTING: Ray Ramirez Jr, Acting Fire Chief

Prepared by: Cathy Thomas

Department: Fire

City Manager

Approval: 

Submitted to Council/O.H.A. 01/19/2016

Approved: _____

Continued to: _____

Denied: _____

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City's public household chemical collection center and fleet maintenance program generate materials and waste products that must be disposed of in accordance with State and Federal regulations. Accordingly, the Community and Public Services Agency and the Ontario Municipal Utilities Company contracts for hazardous waste removal at regular intervals. To address both sets of needs, the various departments utilized a coordinated contracting approach with primary responsibility for contract management residing with the Fire Department.

In November 2015, the City solicited proposals through the City's bid management system. Proposals were based on the type and level of activity historically experienced. Viable proposals were received from only three of the 30 vendors showing interest.

Filter Recycling Services, Inc., located in Bloomington, was recommended by a review committee consisting of representatives from various City departments which utilize hazardous materials collection and disposal services. Filter Recycling Services, Inc. has been contracting with the City since July 2003, and the utilizing departments have been very satisfied with the level of services received. The selection committee also found their overall pricing to be favorable relative to the other response received.

The recommended action covers an initial one-year term and permits the extension of services for up to three additional one-year periods at the sole discretion of the City.

CITY OF ONTARIO

Agenda Report
January 19, 2016

SECTION:
CONSENT CALENDAR

SUBJECT: ONTARIO HOUSING AUTHORITY ANNUAL REPORT FOR FISCAL YEAR 2014-15

RECOMMENDATION: That the Board of the Ontario Housing Authority approve the Ontario Housing Authority Annual Report for Fiscal Year 2014-15 ("OHA Annual Report") (on file in the Records Management Department), and authorize the Executive Director to transmit to the California Department of Housing and Community Development the final Annual Report as required by State law.

COUNCIL GOALS: Regain Local Control of the Ontario International Airport
Focus Resources in Ontario's Commercial and Residential Neighborhoods
Pursue City's Goals and Objectives by Working with Other Government Agencies

FISCAL IMPACT: None.

BACKGROUND: In accordance with Health and Safety Code ("HSC") Sections 34328 and 34328.1, the Authority must prepare a complete report of its activities during the previous fiscal year. The OHA Annual Report must be filed with the City Clerk and submitted to the California Department of Housing and Community Development ("HCD").

The OHA Annual Report has been prepared to comply with the requirements of HSC Sections 34328, 34328.1, and 34312.3, which require the following information:

- HSC Section 34312.3 requires that the annual report provide a complete report of activities taken during the prior fiscal year;
- HSC Section 34312.3 requires that housing authorities show compliance with the following requirements:
 - Minimum amount of housing units affordable to lower income households in housing projects assisted;

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

Prepared by: Julie Bjork
Department: Housing/Municipal Services
Agency

Submitted to Council/O.H.A. 01/19/2016
Approved: _____

City Manager
Approval: _____

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- Documentation regarding any minimum and maximum rent requirements for lower income households pursuant to state and federal requirements.
- HSC Section 34328.1 requires data on termination of tenancies due to domestic violence in housing authority units and summary of actions taken by housing authorities to address termination of tenancies resulting from domestic violence.

All of the Ontario Housing Authority's properties meet all of the affordability requirements.

Subsequent to Board approval of the OHA Annual Report, staff will submit the final report to HCD.



ONTARIO HOUSING AUTHORITY

Annual Report for Fiscal Year 2014-15

**Prepared by the
Ontario Housing Authority
208 West Emporia Street
Ontario, CA 91762
(909) 395-2006**

**Ontario Housing Authority
Annual Report for FY 2014-15**

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ONTARIO HOUSING AUTHORITY

Annual Report for Fiscal Year 2014-15

I. INTRODUCTION

Pursuant to California Health and Safety Code (“HSC”) 34328, all housing authorities must file annually with their respective City or County Clerk and with the California Department of Housing and Community Development (“HCD”) a report (“Annual Report”) of its activities for the preceding year.

A. ANNUAL REPORT CONTENTS

This Annual Report has been developed to comply with the reporting requirements of HSC 34328 and 34328.1, including:

- i. To provide a complete report of activities during FY 2014-15 including: any bond issuances; loans, or finance agreements that the Ontario Housing Authority (“Authority”) has entered into; and properties acquired, sold, developed, rehabilitated, or leased;
- ii. To report on compliance with the requirements of HSC 34312.3 such as the minimum amount of housing units affordable to lower income households in projects assisted by the Authority, and establishment of base rents and/or maximum rental payments for lower income households; and
- iii. To document any domestic violence tenancy terminations or Section 8 voucher terminations as required by HSC 34328.1

II. AUTHORITY ACTIVITIES SUBJECT TO HSC 34312.3

Pursuant to HSC Section 34312.3, the Authority must provide a complete report of its activities taken during the prior fiscal year, which includes bonds, loans, and financing agreements for multi-family rental projects.

A. BONDS FOR MULTI-FAMILY HOUSING

During FY 2014-15, the Authority did not issue any bonds.

B. LOANS FOR MULTI-FAMILY HOUSING

During FY 2014-15, the Authority entered into a loan with the City of Ontario, in the amount of \$200,000 for the acquisition of the Vesta Apartments. The loan is a 0% interest full deferred loan, utilizing Community Development Block Grant (“CDBG”) funds. The funds were used to pay off the existing first mortgage on this property and provide for some minor rehabilitation.

C. FINANCING AGREEMENTS

During FY 2014-15, the Authority Board approved the purchase of the Vesta Apartments, located at 520 – 526 ½ W. Vesta Street. The Vesta Apartments were owned by Housing Opportunities Group, Inc. (“HOGI”), a non-profit organization that was dissolving. HOGI solicited the Ontario Housing Authority to acquire this property in an effort to prevent the foreclosure of the property and preservation of the existing affordable housing units within the development.



The Vesta Apartments, built in the 1920s, consisted of five one-bedroom cottages and one two-bedroom house. This property, a craftsman style bungalow court, is historically significant because it embodies distinguishing architectural characteristics of a style, type, and period of construction. The property had covenants recorded against the property that required the following affordability: two units reserved for very low-income, one unit reserved for low-income, and three units reserved for moderate-income. If the property was foreclosed, these affordability covenants would have been terminated.

The current debt on the property at the time of acquisition by the Ontario Housing Authority was approximately \$581,624. The first mortgage was held by the Clearinghouse CDFI, with a current balance of approximately \$161,346. The City of Ontario held the second mortgage with a principal balance of \$244,713 with an interest rate of three percent. The City of Ontario's note had an existing balance of \$88,087 in deferred interest. Inland Fair Housing and Mediation Board held the third mortgage with a principal balance of \$158,565 with a three percent interest rate. Inland Fair Housing and Mediation Board's note had an existing balance of \$74,293, in deferred interest. The Ontario Housing Authority staff negotiated amendments to both the second and third mortgages. Both the City of Ontario and the Inland Fair Housing and Mediation Board agreed to forgive the deferred interest on these notes and modify the rates to zero percent. The Ontario Housing Authority agreed to assume these notes with the modifications to the terms, and paid off the first mortgage as part of the acquisition of this property. During this reporting period, the property was in escrow.

In addition, the Ontario Housing Authority agreed to the modification of the existing affordability requirements to convert one moderate income unit to a low-income unit based upon the requirements of the new \$200,000 loan that was funded with Community Development Block Grant funds.

D. AUTHORITY OWNED ASSETS

The Authority owns 63 rental units as part of the Continuum of Care, a former mobile home park, three sites that have long term ground leases for affordable housing, and various parcels for future housing development.

Listed below is a list of the Authority owned real estate assets:

Authority Owned Assets			
Development Name	Site Address	APN	Current Use
Continuum of Care Permanent Housing Units	Begonia Apartments (209, 216, 217, 222, 223, 228, and 231 N. Begonia Ave.)	1010-521-15, -18, -14, -19, -13, -20, and -12	Affordable Housing
	Begonia Apartments (305 N. Begonia Ave.)	1010-521-11	Leased to Mercy House CHDO
	Francis Apartments (307-311 W. Francis St.)	1050-371-24	Leased to Mercy House CHDO
	Guadalupe Residence (411 N. Parkside St.)	1048-451-18	Leased to Mercy House
Emporia In-Fill Site	401 W. Holt Blvd.	1049-051-01	Vacant Land
	401 W. Holt Blvd.	1049-051-02	
	113 S. Vine Ave.	1049-051-03	
	205 1/2 S. Vine Ave.	1049-052-03	
	210 S. Fern Ave.	1049-052-04	
	215 S. Vine Ave.	1049-052-05	
	415 W. Transit St.	1049-052-09	
	209 S. Vine Ave.	1049-052-06	
	205 S. Vine Ave.	1049-052-07	
	205 S. Vine Ave.	1049-052-08	
	201 S. Vine Ave.	1049-052-10	
	325 W. Transit St.	1049-054-02	
	301 W. Transit St.	1049-054-03	
	303 W. Emporia St.	1049-059-07	
Euclid In-Fill	110 E. Maitland St.	1049-511-03	Vacant Land
	1004 S. Euclid Ave.	1049-563-10	
	1325 S. Euclid Ave.	1049-531-02	
	1329 S. Euclid Ave.	1049-531-01	
Hollowell Apartments	1165 W. Hollowell St.	1010-521-03	Affordable Housing
Ideal Mobile Home Park	905 E. Holt Blvd.	1048-481-08	Affordable Housing
Infill Housing	115-115 1/2 S. Sultana Ave.	1049-091-11	Vacant Land
	4th and Cucamonga	1048-131-52	Vacant Land
Mission and Oakland Infill Housing	908 S. Oakland Ave.	1049-323-12	Vacant Land
	908 S. Oakland Ave.	1049-323-13	
	905 - 907 S. San Antonio Ave.	1049-323-06	
	911 S. San Antonio Ave.	1049-323-07	
	911 S. San Antonio Ave.	1049-323-08	
Mountain View Senior Apartments Phase II	511 N. Palmetto Ave.	1010-461-11	Ground Lease
Ontario Town Square A-1	128 N. Euclid Ave.	1048-553-01	Vacant Land
	115 N. Lemon Ave.	1048-553-05	
	127 E. Holt Blvd.	1048-553-06	
	123 E. Holt Blvd.	1048-553-07	

Authority Owned Assets			
Development Name	Site Address	APN	Current Use
	121 E. Holt Blvd.	1048-553-08	
	115 E. Holt Blvd.	1048-553-09	
	110 N. Euclid Ave.	1048-553-10	
	110 N. Euclid Ave.	1048-553-11	
	110, 110 1/2, 112, 114 N. Euclid Ave.	1048-553-12	
	112 N. Euclid Ave.	1048-553-13	
	118 N. Euclid Ave.	1048-553-14	
	122 N. Euclid Ave.	1048-553-15	
Ontario Town Square B-1	240 N. Euclid Ave.	1048-552-17	Vacant Land
	208 – 224 N. Euclid Ave.	1048-552-16	
	“C” Street	1048-552-15	
	200 N. Euclid Ave.	1048-552-19	
Ontario Town Square C-1	334 N. Euclid Ave.	1048-551-01	Vacant Land
	127 E. "C" St.	1048-551-03	
	312 N. Euclid Ave.	1048-551-05	
	316 N. Euclid Ave.	1048-551-06	
	318, 320, 322 N. Euclid Ave.	1048-551-07	
	326 N. Euclid Ave.	1048-551-08	
	330 N. Euclid Ave.	1048-551-09	
Palm Terrace Senior Apartments	1449 E. “D” St.	0110-254-78	Ground Lease
Seasons at Gateway	955 N. Palmetto Ave	1010-141-08	Ground Lease
Vesta Apartments	1164 W. Vesta St.	1010-521-02	Affordable Housing

E. DEVELOPED AND/OR REHABILITATED HOUSING PROJECTS

During this reporting period, the Authority did not perform any rehabilitation activities.

F. SPECIAL PROGRAMS

During this reporting period, the Authority was one of the lead agencies in operating Ontario’s Continuum of Care. Listed on the following page is a description of the operated the following special programs:

i. Continuum of Care

Through a partnership with the City of Ontario and Mercy House, the Authority is implementing Ontario’s Continuum of Care, which has been designed to provide a comprehensive homeless strategy to assist homeless individuals and families in becoming self-sufficient. This comprehensive Continuum of Care was developed during FY 2004-05. The final component of the Continuum of Care, the Ontario Access Center was completed during FY 2013-14. The City, the Authority, and Mercy House continue to work together to implement this strategy to address homelessness within Ontario. This strategy provides for a full-service intake center, 34 transitional housing beds, and 62 permanent housing units for homeless individuals and families.

In addition, the Authority worked cooperatively with the Housing Authority of the County of San Bernardino, the County of San Bernardino Department of Behavioral Health, and

Mercy House to secure 12 Shelter Plus Care (S+C) vouchers that are available to provide rental subsidies and wrap around supportive services for mentally ill homeless individuals and families. These 12 S+C vouchers are restricted to 12 units within the Continuum of Care's permanent housing unit inventory.

III. HOUSING COMPLIANCE

As set forth by HSC Sections 34328 and 34328.1, the Authority is required to:

- Show compliance with requirements of HSC Section 34312.3 such as the minimum amount of housing units affordable to lower income in projects assisted by the Authority, and document established base rents and/or maximum rental payment for lower income households; and
- Document any domestic violence tenancy or Section 8 voucher termination as required by HSC Section 34328.1.

A. HOUSING AFFORDABILITY REQUIREMENT

Pursuant to HSC Section 34312.3, not less than 20 percent of the units assisted by the Authority, or 15 percent in targeted areas, as defined by Section 103(b) (12)(A) of Title 26 of the United States Code, must be affordable to persons of low income. Of that amount, not less than one-half must be available to persons of very low-income, if the housing development is financed by bonds.

As shown in the table on the following page, the Authority complies with the established affordability requirements of HSC Section 34312.3.

Multi-Family Residential Real Estate Assets (Owned or assisted by the Authority)								
Project Name	Location	Funding Source	Building Owner	Project Type	Affordability Restrictions			
					VL	Low	Mod	Total
Continuum of Care Permanent Housing Units (Begonia Apartments) ^{1, 2}	209, 216, 217, 222, 223, 228, 231, and 305 N. Begonia Ave.	HOME, LMIHF, NSP1, and NSP3	Authority	Family Rental	15	15	2	32
Homeless Continuum of Care Permanent Housing Units (Francis Apartments) ^{3, 4}	307, 309, 311 W. Francis St.	HOME and LMIHF	Authority	Family Rental	5	8	2	15
Hollowell Apartments	1165 W. Hollowell St.	HOME and NSP3	Authority	Family Rental	2	1	1	4
Ideal Mobile Home Park	905 E. Holt Blvd.	LMIHF	Authority	Former Mobile Home Park	0	0	0	0
Mountain View Senior Apartments Phase II (Ground Lease)	511 N. Palmetto Ave.	LIHTC, LMIHF, and Private Financing	Ontario Housing Investors II, LP	Senior Rental	16	4	0	20
Palm Terrace Senior Apartments (Ground Lease)	1449 E. "D" St.	HOME and Section 202	D Street Senior Housing, Inc.	Senior Rental	48	0	0	48
Vesta Apartments	1164 W. Vesta St.	HOME and NSP3	Authority	Family Rental	0	4	0	4
TOTAL					86	32	5	123
Percentages					70%	26%	4%	100%
¹ Eight moderate income units are being assisted through Project Gateway (S+C) rental subsidies, which allows those units to be classified as very low-income units pursuant to Section 34312.3(c)(6)(A)								
² Two moderate income units are being assisted through Housing Choice Voucher rental subsidies, which allows those units to be classified as very low-income units pursuant to Section 34312.3(c)(6)(A)								
³ Two moderate income units are being assisted through Project Gateway (S+C) rental subsidies, which allows those units to be classified as very low-income units pursuant to Section 34312.3(c)(6)(A)								
⁴ One moderate income units are being assisted through Housing Choice Voucher rental subsidies, which allows those units to be classified as very low-income units pursuant to Section 34312.3(c)(6)(A)								

Multi-Family Residential Real Estate Assets (Transferred to the Authority from the former Agency)								
Project Name	Location	Funding Source	Building Owner	Project Type	Affordability Restrictions			
					VL	Low	Mod	Total
Continuum of Care Permanent Housing Units (Guadalupe Residence)	411 N. Parkside St.	LMIHF	Leased to Mercy House	Family Rental	0	0	8	8
Seasons at Gateway (Ground Lease)	955 N. Palmetto Ave.	LIHTC, LMIHF, Tax Exempt Bonds, HOME, LMIHF, NSP1, and NSP3	Ontario Senior Housing, LP	Senior Housing	62	18	0	80
TOTAL					62	18	8	88
Percentages					71%	20%	9%	100%

B. MINIMUM AND MAXIMUM RENTS

HSC Section 34312.3(c) establishes a set of guidelines to determine base and maximum rents that a housing authority can charge for units reserved for lower income households. According to HSC Section 34312.3(c)(2)(B), rental payments for very low-income units shall not exceed the amount derived by multiplying 30 percent time 50 percent of the median adjusted for family size, as determined pursuant to Section 8 of the United States Housing Act of 1937 (42 U.S.C. Sec. 1437f). At this time, the Authority has not established a schedule of base rental payment.

Listed in the table below are the maximum gross rents that were established for 2015 Successor Housing Entities monitoring projects that were previously funded with LMIHF unless there were other affordable housing definitions included in the regulatory agreements transferred to the Authority:

LMIHF-FUNDED PROJECTS					
	Studio	One Bedroom	Two Bedroom	Three Bedroom	Four Bedroom
Extremely Low Income (30% of AMI)	\$341	\$390	\$439	\$488	\$527
Very Low Income (50% of AMI)	\$569	\$650	\$731	\$813	\$878
Low Income (80% of AMI)	\$683	\$780	\$878	\$975	\$1,053
Moderate Income (120% of AMI)	\$1,251	\$1,430	\$1,609	\$1,788	\$1,931

In general, the above rental amounts are calculated as follows:

- For extremely low income units, the maximum rental amount is the product of 30 percent times 30 percent of the area median income adjusted for family size appropriate for the unit;
- For very low income units, the maximum rental amount is the product of 30 percent times 50 percent of the area median income adjusted for family size appropriate for the unit;
- For low income units, the maximum rental amount is the product of 30 percent times 60 percent of the area median income adjusted for family size appropriate for the unit.
- For moderate income units, the maximum rental amount is the product of 30 percent time 110 percent of the area median income adjusted for family size appropriate for the unit.

Listed in the table below are the maximum gross rents that were established for 2015 HOME funded projects:

HOME-FUNDED PROJECTS					
	Studio	One Bedroom	Two Bedroom	Three Bedroom	Four Bedroom
Low HOME Rent	\$586	\$628	\$753	\$871	\$972
High HOME Rent	\$743	\$797	\$958	\$1,099	\$1,206

IV. DOMESTIC VIOLENCE

State law requires that a housing authority annually disclose data related to domestic violence incidents in units owned or operated by the housing authority. Specifically, the data must include:

- Data on termination of tenancies and/or Section 8 vouchers of victims of domestic violence in housing authority units; and
- Summary of steps taken by the housing authority to address any termination of tenancies and/or Section 8 vouchers of victims of domestic violence.

The Authority did not terminate tenancies for domestic violence during FY 2014-15. In the future, information on any terminations of this kind will be presented under separate cover to protect the privacy of the parties involved.

CITY OF ONTARIO

Agenda Report
January 19, 2016

**SECTION:
CONSENT CALENDAR**

**SUBJECT: CONSTRUCTION CONTRACT FOR THE REPLACEMENT AND
INSTALLATION OF TREMCO ROOF SYSTEM AT DE ANZA COMMUNITY
CENTER TINY TOT CLASSROOM**

RECOMMENDATION: That the City Council award Contract No. MS 1516-8 to Rite-Way Roof Corporation, of Fontana, California, for the replacement and installation of a new Tremco Roof System at De Anza Community Center Tiny Tot Classroom in the amount of \$128,558 plus a contingency (\$10,000) for a total amount of \$138,558; authorize the City Manager to execute said contract (on file in the Records Management Department), and authorize the filing of the notice of completion at the conclusion of all construction activities related to the project.

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

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

FISCAL IMPACT: The recommended contract authorization is \$128,558 plus a contingency (\$10,000) for a total amount of \$138,558.

BACKGROUND: Approximately 1,850 square feet of the existing roof located over the De Anza Tiny Tot Classroom has recently required increased maintenance due to deterioration. The roof of De Anza Tiny Tot Classroom is approximately 20 years old. The recommend replacement is an energy-efficient "Cool Roof" that meets California Title 24 specifications. The new roof system will provide better drainage, faster evaporation and lower roof-top temperatures thus increasing life expectancy. In addition, by reducing roof-top temperatures, this system decreases interior building temperatures resulting in reduced air conditioning and energy needs.

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

Prepared by: Pat Malloy
Department: Municipal Services

City Manager
Approval: 

Submitted to Council/O.H.A. 01/19/2016

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On December 16, 2015, four bids were received for the replacement and installation of a Tremco Roof at De Anza Tiny Tot Classroom. The four bids ranged from \$156,270 to \$128,558 and are summarized below.

<u>Vendor</u>	<u>Location</u>	<u>Bid Amount</u>
Rite-Way Roof Corp	Fontana	\$128,558
Chapman Coast Roof Co.	Fullerton	\$145,446
Tecta America Inc.	Santa Ana	\$145,620
Best Contracting Services	Gardena	\$156,270

Rite-Way Roof Corporation submitted the lowest responsive bid and has previously performed roof replacement and repair work for the City in a timely manner.

Once the contract is approved, it is estimated roof construction will commence February 28, 2016, and will be completed by April 15, 2016.

CITY OF ONTARIO

Agenda Report
January 19, 2016

SECTION:
CONSENT CALENDAR

SUBJECT: A PROFESSIONAL SERVICES AGREEMENT FOR CONSULTING SERVICES ON ONTARIO RANCH DEVELOPMENT MATTERS AND THE CITY'S DEVELOPMENT IMPACT FEE PROGRAM

RECOMMENDATION: That the City Council authorize the City Manager to execute a five-year professional services agreement (on file with the Records Management Department) with RH Consulting of La Quinta, California, with an estimated annual activity level of \$90,000 per year, to provide consulting services related to the development of Ontario Ranch; and assisting the City with its creation and administration of development and construction agreements, the City's Development Impact Fee Program, and the City's community facilities districts.

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

FISCAL IMPACT: Based on the current and anticipated needs for the proposed services, the cost of services to be provided are estimated to be \$90,000 per year. Half of the fees will be paid by developer deposits and the other half, for City-wide services rather than developer specific, will be paid from the General Fund and will be included in the City's baseline annual budgets. The City has contracted with RH Consulting since 2007, and the firm has agreed to maintain its fee structure at the same level it has been since 2007 for the recommended five-year duration of the proposed agreement.

BACKGROUND: RH Consulting's prior work for the City includes substantial involvement in the development and implementation of the provisions of the Construction Agreement between the City and NMC Builders. As such, its knowledge of the Construction Agreement and its awareness of the history of its development make it uniquely qualified to provide the services needed by the City as the development of the Ontario Ranch progresses. RH Consulting has continually functioned as a key member of the City's negotiating team on amending the Construction Agreement. In addition, RH Consulting has been involved in all of the periodic updates of the City's Development Impact

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. 01/19/2016

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Program since 2007, and has a key role in assisting with negotiating and drafting development agreements, as well as development impact fee credit and reimbursement agreements. RH Consulting is also a member of the City's financing team during the formation of Ontario Ranch community facilities districts. The recommended five-year agreement will ensure continuity for the City in several critical areas integral to the successful development of the Ontario Ranch.

CITY OF ONTARIO

Agenda Report
January 19, 2016

SECTION:
CONSENT CALENDAR

SUBJECT: A DEVELOPMENT IMPACT FEE CREDIT AND REIMBURSEMENT AGREEMENT WITH BROOKCAL ONTARIO LLC (NEW HAVEN)

RECOMMENDATION: That the City Council authorize the City Manager to execute a Development Impact Fee Credit and Reimbursement Agreement (on file with the Records Management Department) with BrookCal Ontario LLC, a California limited liability company, for the construction of public infrastructure in the New Haven development project.

COUNCIL GOALS: Regain Local Control of the Ontario International Airport
Invest in the Growth and Evolution of the City's Economy
Focus Resources in Ontario's Commercial and Residential Neighborhoods
Invest in the City's Infrastructure (Water, Streets, Sewer, 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: Approval will result in no fiscal impact to the City's General Fund. The New Haven project's development agreement and related conditions require the developer to construct Development Impact Fee (DIF) program infrastructure with estimated costs of approximately \$18,498,678. The proposed DIF Credit and Reimbursement Agreement defines the amount of DIF credit and DIF reimbursement that the developer may be eligible to receive when the infrastructure is completed. DIF Credit may be used in-lieu of the payment of development impact fees up to the developer's maximum DIF obligation in any given DIF category. DIF reimbursement becomes available when other developers that benefit from the construction of the infrastructure pay their respective development impact fees.

BACKGROUND: BrookCal Ontario and the City recognized the financial commitment required for construction in the New Model Colony area would be substantial. To adequately forecast costs and gain assurance that the project could proceed under existing policies, rules and regulations, BrookCal Ontario entered into a development agreement with the City providing for the development of up to 1,123

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

Prepared by: Bob Chandler
Department: Management Services

City Manager
Approval: 

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dwelling units to be constructed in four phases. The Development Agreement, approved in 2014, addressed issues of public facilities, public services funding, infrastructure and affordable housing. The Development Agreement between the City and BrookCal Ontario was amended in 2015 to revise the timing for the completion of construction of public infrastructure and to conform the Development Agreement to agreements between the City and NMC Builders for the funding and construction of recycled water improvements.

The Development Agreement, as amended, requires BrookCal Ontario to construct public infrastructure that is contained within the City's Development Impact Fee Program. This infrastructure is within the Water, Streets, Sewer, Storm Drain, and Fiber Optic facilities categories. The Development Agreement also recognizes that BrookCal Ontario is eligible to receive DIF credit towards the payment of DIF for the project upon completion of the construction of the public infrastructure up to the total DIF obligation for the project in each applicable DIF category. Since the estimated costs in the City's DIF Program for the required infrastructure exceeds the developer's DIF obligations in the Water, Storm Drain, Streets, and Fiber Optic facilities DIF categories, BrookCal Ontario is also eligible to receive future reimbursements from DIF collected when future development projects that benefit from the public infrastructure constructed by BrookCal Ontario pay their respective DIF in those categories. The Development Agreement references a separate DIF credit agreement to provide for the specific limitations on the issuance of DIF Credit and Reimbursement and other related provisions.

The proposed agreement constitutes the above referenced separate DIF Credit and Reimbursement Agreement. It has been drafted in compliance with the City's DIF Policies and in conformance with the Amended Construction Agreement between the City and NMC Builders. Under the provisions of the City's DIF Program, the City Manager is authorized to execute such agreements with the approval of the City Council.

CITY OF ONTARIO

Agenda Report
January 19, 2016

SECTION:
CONSENT CALENDAR

SUBJECT: A RESOLUTION APPROVING FILE NO. PDCA15-004, A DEVELOPMENT CODE AMENDMENT ADDING REFERENCES A THROUGH H, AS FOLLOWS: [1] REFERENCE A (STYLE AND FORMAT PRINCIPLES) ESTABLISHES CONVENTIONS TO BE USED IN PREPARING AND REVISING THE ONTARIO DEVELOPMENT CODE; [2] REFERENCE B (ARCHITECTURAL STYLES) ESTABLISHES CONSISTENCY IN THE USE OF ARCHITECTURAL TERMINOLOGIES AND PROVIDES APPROPRIATE EXAMPLES OF ARCHITECTURAL STYLES; [3] REFERENCE C (DOWNTOWN ONTARIO DESIGN GUIDELINES) CONTAINS THE DOWNTOWN ONTARIO DESIGN GUIDELINES, ADOPTED BY THE ONTARIO CITY COUNCIL ON AUGUST 18, 1988, BY RESOLUTION NO. 98-102; [4] REFERENCE D (RESIDENTIAL DESIGN GUIDELINES) IS INTENDED TO ASSIST DESIGN PROFESSIONALS IN UNDERSTANDING THE CITY'S GOALS AND OBJECTIVES FOR CREATING HIGH QUALITY RESIDENTIAL DEVELOPMENT; [5] REFERENCE E (COMMERCIAL DESIGN GUIDELINES) IS INTENDED TO ASSIST DESIGN PROFESSIONALS IN UNDERSTANDING THE CITY'S GOALS AND OBJECTIVES FOR CREATING HIGH QUALITY COMMERCIAL DEVELOPMENT; [6] REFERENCE F (INDUSTRIAL DESIGN GUIDELINES) IS INTENDED TO ASSIST DESIGN PROFESSIONALS IN UNDERSTANDING THE CITY'S GOALS AND OBJECTIVES FOR CREATING HIGH QUALITY INDUSTRIAL DEVELOPMENT; [7] REFERENCE G (LANDSCAPE DESIGN AND CONSTRUCTION GUIDELINES) IS INTENDED TO ASSIST DESIGN PROFESSIONALS, LANDSCAPE CONTRACTORS AND HOMEOWNERS IN THEIR UNDERSTANDING OF THE CITY'S GOALS AND OBJECTIVES FOR THE PREPARATION OF LANDSCAPE CONSTRUCTION DOCUMENTATION PLANS, AND THE INSTALLATION OF LANDSCAPE MATERIALS AND ELEMENTS; AND [8] REFERENCE H (COMMUNITY CLIMATE ACTION PLAN) CONTAINS THE COMMUNITY CLIMATE ACTION PLAN, ADOPTED BY THE ONTARIO CITY COUNCIL ON DECEMBER 16, 2014, BY RESOLUTION NO. 2014-122.

STAFF MEMBER PRESENTING: Scott Murphy, Planning Director

Prepared by: Charles Mercier
Department: Planning

City Manager
Approval: 

Submitted to Council/O.H.A. 01/19/2016

Approved: _____

Continued to: _____

Denied: _____

11

RECOMMENDATION: That the City Council conduct a public hearing and approve a resolution approving the inclusion of various references materials into the Ontario Development Code, including: Reference A (Style and Format Principles), Reference B (Architectural Styles), Reference C (Downtown Ontario Design Guidelines), Reference D (Residential Design Guidelines), Reference E (Commercial Design Guidelines), Reference F (Industrial Design Guidelines), Reference G (Landscape Design and Construction Guidelines), and Reference H (Community Climate Action Plan).

COUNCIL GOALS: Regain Local Control of the Ontario International Airport
Invest in the Growth and Evolution of the City's Economy
Operate in a Businesslike Manner
Encourage, Provide or Support Enhanced Recreational, Educational, Cultural and Healthy City Programs, Policies and Activities

FISCAL IMPACT: No fiscal impact is anticipated.

BACKGROUND: On December 1, 2015, the City Council approved Ordinance No. 3028 adopting a comprehensive Development Code update. The amended Development Code is an independent document, adopted by reference as Title 9 (Development Code) of the Municipal Code, in the same manner that the City's Building and Fire Codes have been adopted. This approach allows the City much more flexibility in the organization and content of the document, and will allow the Development Code to ultimately be assimilated into a web-based document, functioning similar to The Ontario Plan (TOP).

The updated Development Code was planned to include references, which are intended to assist City staff, property owners, business owners, developers, and design professionals, in understanding and implementing the Development Code's goals, policies and objectives. The Development Code References are to be adopted by City Council Resolution, making it easier to amend or expand upon the References, as determined necessary by the City Council, upon Planning Commission recommendation. The proposed Development Code References include the following:

- **Reference A (Style and Format Principles)**—New guidelines provided to ensure consistency in the terminology, phrasing, numbering, formatting, and references and citations to be used in preparing and revising the Development Code.
- **Reference B (Architectural Styles)**—Existing guidelines describing common features associated with recognized architectural styles used in building design. Changes to these guidelines consist of reorganization of architectural styles in chronological order and the inclusion of new photographs depicting various architectural styles.
- **Reference C (Downtown Ontario Design Guidelines)**—Existing guidelines adopted by the City Council on August 18, 1998 (Resolution No. 98-102), establishing architecture, sign, and lighting design principles to be implemented within the area bordered by I Street on the north, Sultana Avenue on the east, Emporia Avenue on the south, and Vine Avenue on the west. No changes are proposed.
- **References D through F (Residential, Commercial, and Industrial Design Guidelines)**—Existing guidelines for residential, commercial, and industrial development projects, which

provides examples of design solutions, as well as certain interpretations of the mandatory development regulations. No changes are proposed.

- **Reference G (Landscape Design and Construction Guidelines)**—A compilation of design guidelines previously contained in the Development Code and best management practices incorporated by staff over the past several years. In addition, the guidelines take into account water conservation measures currently in place and expected to remain for the foreseeable future.
- **Reference H (Community Climate Action Plan (CAP))**—Existing guidelines adopted by the City Council on December 16, 2014 (Resolution No. 2014-122), which establishes greenhouse gas emissions reduction goals for the City. No changes are proposed.

On June 23, 2015, the Planning Commission conducted a public hearing regarding, File No. PDC11-003, which in part, considered Development Code References A through F, and H. Following the public hearing, the Planning Commission unanimously voted (7-0) to recommend that the City Council approve the Development Code Amendment. Furthermore, on December 22, 2015, the Planning Commission conducted a public hearing regarding, File No. PDC15-003, which in part, considered Development Code Reference G. Following the public hearing, the Planning Commission unanimously voted (5-0) to recommend that the City Council approve the Development Code Amendment.

CONSISTENCY WITH THE ONTARIO PLAN: Government Code Section 65860 requires that zoning ordinances must be consistent with the General Plan of the City (Policy Plan component of The Ontario Plan (“TOP”)). A zoning ordinance is consistent with the Policy Plan if, upon consideration of all of its aspects, it is found to further the purposes, principals, goals, and policies of the Plan. The Planning Commission staff report addressing File No. PDCA11-003, dated June 23, 2015, (incorporated by this reference) contains a listing of the principles, goals and policies of TOP that would be furthered by approval of the proposed Development Code Amendment.

COMPLIANCE WITH THE AIRPORT LAND USE COMPATIBILITY PLAN: The proposed Development Code Amendment affects properties located within the Airport Influence Area of Ontario International Airport and has been found to be consistent with the policies and criteria set forth within the Ontario International Airport Land Use Compatibility Plan (ALUCP).

ENVIRONMENTAL REVIEW: The environmental impacts of this project were previously reviewed in conjunction with a comprehensive update to the Ontario Development Code (File No. PDCA11-003), for which an Addendum to The Ontario Plan Environmental Impact Report (certified by the City of Ontario City Council on January 27, 2010, by Resolution No. 2010-003) and Mitigation Monitoring Program were approved by the City Council on September 1, 2015, by Resolution No. 2015-095. The Addendum finds that the subject application will not introduce any new significant environmental impacts. The City's "Guidelines for the Implementation of the California Environmental Quality Act (CEQA)" provide for the use of a single environmental assessment in situations where the impacts of subsequent projects are adequately analyzed. All previously adopted mitigation measures are a condition of project approval and are incorporated by reference.

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING FILE NO. PDCA15-004, A DEVELOPMENT CODE AMENDMENT ADDING REFERENCES A THROUGH H, AS FOLLOWS: [1] REFERENCE A (STYLE AND FORMAT PRINCIPLES) ESTABLISHING CONVENTIONS TO BE USED IN PREPARING AND REVISING THE ONTARIO DEVELOPMENT CODE; [2] REFERENCE B (ARCHITECTURAL STYLES) ESTABLISHING CONSISTENCY IN THE USE OF ARCHITECTURAL TERMINOLOGIES AND PROVIDING EXAMPLES OF ARCHITECTURAL STYLES; [3] REFERENCE C (DOWNTOWN ONTARIO DESIGN GUIDELINES) CONTAINING THE DOWNTOWN ONTARIO DESIGN GUIDELINES, ADOPTED BY THE ONTARIO CITY COUNCIL ON AUGUST 18, 1988; [4] REFERENCE D (RESIDENTIAL DESIGN GUIDELINES) TO ASSIST DESIGN PROFESSIONALS IN UNDERSTANDING THE CITY'S GOALS AND OBJECTIVES FOR CREATING HIGH QUALITY RESIDENTIAL DEVELOPMENT; [5] REFERENCE E (COMMERCIAL DESIGN GUIDELINES) TO ASSIST DESIGN PROFESSIONALS IN UNDERSTANDING THE CITY'S GOALS AND OBJECTIVES FOR CREATING HIGH QUALITY COMMERCIAL DEVELOPMENT; [6] REFERENCE F (INDUSTRIAL DESIGN GUIDELINES) TO ASSIST DESIGN PROFESSIONALS IN UNDERSTANDING THE CITY'S GOALS AND OBJECTIVES FOR CREATING HIGH QUALITY INDUSTRIAL DEVELOPMENT; [7] REFERENCE G (LANDSCAPE DESIGN AND CONSTRUCTION GUIDELINES) TO ASSIST DESIGN PROFESSIONALS, LANDSCAPE CONTRACTORS, AND HOMEOWNERS, IN THEIR UNDERSTANDING OF THE CITY'S GOALS AND OBJECTIVES FOR THE PREPARATION OF LANDSCAPE CONSTRUCTION DOCUMENTATION PLANS, AND THE INSTALLATION OF LANDSCAPE MATERIALS AND ELEMENTS; AND [8] REFERENCE H (COMMUNITY CLIMATE ACTION PLAN) CONTAINING THE COMMUNITY CLIMATE ACTION PLAN, ADOPTED BY THE ONTARIO CITY COUNCIL ON DECEMBER 16, 2014.

WHEREAS, The City of Ontario ("Applicant") has initiated a Development Code Amendment, File No. PDCA15-004, as described in the title of this Resolution (hereinafter referred to as "Application" or "Project"); and

WHEREAS on June 23 2015 the Planning Commission adopted Resolution No. PC15-042 recommending the City Council approve a comprehensive update to the City of Ontario Development Code Ontario Municipal Code Title 9 to establish consistency with The Ontario Plan. Additionally several amendments to the Ontario Municipal Code were recommended in order to provide for the logical arrangement of Municipal Code provisions as well as the elimination of duplicate and inconsistent provisions; and

WHEREAS, on December 1, 2015, the City Council approved Ordinance No. 3028 adopting a comprehensive Development Code update. The amended Development Code is an independent document, adopted by reference as Title 9 (Development Code) of the Municipal Code, in the same manner that the City's Building and Fire Codes have been adopted. This approach allows the City much more flexibility in the organization and content of the document, and will allow the Development Code to ultimately be assimilated into a web-based document, functioning similar to The Ontario Plan (TOP); and

WHEREAS, the updated Development Code was planned to include References, which are intended to assist City staff, property owners, business owners, developers, and design professionals, in understanding and implementing the Development Code's goals, policies and objectives; and

WHEREAS, the Development Code References are to be adopted by City Council Resolution, making it easier to amend or expand upon the References, as determined necessary by the City Council, upon Planning Commission recommendation. The proposed Development Code References include:

- **Reference A (Style and Format Principles)**—New guidelines provided to ensure consistency in the terminology, phrasing, numbering, formatting, and references and citations to be used in preparing and revising the Development Code.
- **Reference B (Architectural Styles)**—Existing guidelines describing common features associated with recognized architectural styles used in building design. Changes to these guidelines consist of reorganization of architectural styles in chronological order, and the inclusion of new photographs depicting various architectural styles.
- **Reference C, Downtown Ontario Design Guidelines**—Existing guidelines adopted by the City Council on August 18, 1998 (Resolution No. 98-102), establishing architecture, sign, and lighting design principles to be implemented within the area bordered by I Street on the north, Sultana Avenue on the east, Emporia Avenue on the south, and Vine Avenue on the west. No changes are proposed.
- **References D through F, Residential, Commercial, and Industrial Design Guidelines**—Existing guidelines for residential, commercial, and industrial development projects, which provides examples of design solutions, as well as certain interpretations of the mandatory development regulations. No changes are proposed.
- **Reference G Landscape Design and Construction Guidelines**—A compilation of design guidelines previously contained in the Development Code and best management practices incorporated by staff over the past several years. In addition, the guidelines take into account water conservation measures currently in place and expected to remain for the foreseeable future.

- **Reference H, Community Climate Action Plan (CAP)**—Existing guidelines adopted by the City Council on December 16, 2014 (Resolution No. 2014-122), which establishes Green House Gas emissions reduction goals for the City. No changes are proposed.

WHEREAS, the proposed Development Code Amendment affects properties located within the Airport Influence Area of LA/Ontario International Airport, and has been found to be consistent with the policies and criteria set forth within the LA/Ontario International Airport Land Use Compatibility Plan (ALUCP).

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

WHEREAS, environmental impacts of this project were previously reviewed in conjunction with a comprehensive update to the Ontario Development Code (File No. PDCA11-003), for which an Addendum to The Ontario Plan Environmental Impact Report (certified by the City of Ontario City Council on January 27, 2010, by Resolution No. 2010-003) was approved by the City Council on September 1, 2015, by Resolution No. 2015-095, 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 June 23, 2015, and December 22, 2015, the Planning Commission of the City of Ontario conducted duly noticed public hearings and issued Resolutions recommending the City Council approve the Project.

WHEREAS, on January 19, 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 (certified by the City of Ontario City Council on January 27, 2010, by Resolution No. 2010-003), approved by the City Council on September 1, 2015, by Resolution No. 2015-095, and the supporting documentation. Based upon the facts and information contained in the Addendum to The Ontario Plan Environmental Impact Report and supporting documentation, the City Council finds as follows:

a. The previous Addendum to The Ontario Plan Environmental Impact Report contains a complete and accurate reporting of the environmental impacts associated with the Project; and

b. The previous Addendum to The Ontario Plan Environmental Impact Report was completed in compliance with CEQA and the Guidelines promulgated thereunder; and.

c. The previous Addendum to The Ontario Plan Environmental Impact Report reflects the independent judgement of the City Council; and

d. All previously adopted mitigation measures contained in the Mitigation Monitoring Program shall be a condition of Project approval and are incorporated herein by this 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 Development Code Amendment is consistent with the goals, policies, plans and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan; and

b. The proposed Development Code Amendment would not be detrimental to the public interest, health, safety, convenience, or general welfare of the City. The proposed guidelines

SECTION 3. The City Council hereby approves the use of the previously approved Addendum to the certified EIR.

SECTION 4. References A through H of the Ontario Development Code, listed below, as published by the Planning Department of the City of Ontario, is hereby adopted by this reference:

Reference A—Style and Format Principles

Reference B—Architectural Styles

Reference C—Downtown Ontario Design Guidelines

Reference D—Residential Design Guidelines

Reference E—Commercial Design Guidelines

Reference F—Industrial Design Guidelines

Reference G—Landscape Design and Construction Guidelines

Reference H—Community Climate Action Plan

One copy of the above-listed References, attached hereto as Exhibit A, shall be maintained on file with the Ontario Development Code, in the office of the City Clerk for public review.

SECTION 5. Based upon the findings and conclusions set forth in Sections 1 through 4, above, the City Council hereby APPROVES the Development Code Amendment, File No. PDCA15-004.

SECTION 6. 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 7. If any section, sentence, clause or phrase of this Resolution, or the application thereof to any entity, person or circumstance is held for any reason to be invalid or unconstitutional, such invalidity or unconstitutionality shall not affect other provisions or applications of this Resolution, which can be given effect without the invalid provision or application, and to this end, the provisions of this Resolution are severable. The People of the City of Ontario hereby declare that they would have adopted this Resolution and each section, sentence, clause, or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases, is declared invalid or unconstitutional.

SECTION 8. This Resolution shall become effective 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 19th day of January 2016.

PAUL S. LEON, MAYOR

ATTEST:

VICKI KASAD, MMC, ASSISTANT CITY CLERK

APPROVED AS TO LEGAL FORM:

BEST BEST & KRIEGER LLP
CITY ATTORNEY

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

I, VICKI KASAD, Assistant 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 January 19, 2016 by the following roll call vote, to wit:

AYES: COUNCIL MEMBERS:

NOES: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

VICKI KASAD, MMC, ASSISTANT 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 January 19, 2016.

VICKI KASAD, MMC, ASSISTANT CITY CLERK

(SEAL)

EXHIBIT A

References

- [Reference A](#)—Style and Format Principles
- [Reference B](#)—Architectural Styles
- [Reference C](#)—Downtown Ontario Design Guidelines
- [Reference D](#)—Residential Design Guidelines
- [Reference E](#)—Commercial Design Guidelines
- [Reference F](#)—Industrial Design Guidelines
- [Reference G](#)—Landscape Design and Construction Guidelines
- [Reference H](#)—Community Climate Action Plan

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Reference A—Style and Format Principles

Sections:

A.01.001:	Terms and Phrases
A.01.002:	Numbers
A.01.003:	Capitalization
A.01.004:	Hyphenation
A.01.005:	Commas Separating Items in a Series
A.01.006:	Colons
A.01.007:	Semicolons
A.01.008:	Outline Format
A.01.009:	References and Citations

A.01.001: Terms and Phrases

A. Conventions to Be Used for Common Terms and Phrases. To ensure consistency of terminology within the Development Code, listed below, are conventions to be used for certain common terms and phrases, some of which will appear abbreviated throughout the Development Code. In all cases, these terms and phrases will be defined in the Development Code glossary, or will be explained within individual Development Code sections or by appropriate interpretation.

City. Use “City” rather than “City of Ontario,” after City of Ontario is first used in the Development Code.

Deny. Use “deny” rather than “disapprove” or “disallow.”

Policy Plan (General Plan) component of The Ontario Plan. Use “Policy Plan (General Plan) component of The Ontario Plan “ rather than “General Plan,” or “City of Ontario General Plan.”

Pursuant To. Use “pursuant to” rather than “in compliance with,” “in accordance with,” “under,” etc.

Lot. Use “lot” rather than “parcel.”

Approving Authority. Use “Approving Authority” when referring to the City Council, Planning Commission, Planning Director, Zoning Administrator, etc., as the hearing body or position responsible for approving an application or rendering a decision.

Reviewing Authorities. Use “Reviewing Authorities” when referring generically to all Advisory Authorities, Approving Authority and Appeal Authorities.

Structure (Structures). Use “structure” or “structures” rather than “building,” “buildings,” or “buildings and structures.”

State. Use “State” rather than “State of California,” after State of California is first used in the Development Code.

Zoning District. Use “zoning district” rather than “zone,” or “zone district.”

B. Words to Use and Not Use. Additional words to use and not use are as follows:

<i>Use</i>	<i>Don't Use</i>
2, 10, 20, 30, etc.	two, ten, twenty, thirty, etc.
one	1
12 months	one year
30 days	one month
allowed	permitted
Approving Authority	final review authority or decision making body
believes	feels
concurrently	simultaneously
contained, identified, outlined	(as) set forth, set out in
e.g., (for partial "for instance" lists)	"for example"
ensure	insure, assure
equivalent	same as though
i.e., (for complete lists)	"that is"
pursuant to	in accordance with, per, in compliance with
multiple-family	multi-family
lot	parcel
percent	%, except when used in charts or tables
presumed	assumed
religious assembly	church
shall	must
their	his/her
Policy Plan component of The Ontario Plan	General Plan
	herein
	said
	such
	thereof
	That (at the beginning of a finding)
	"any," "all," "no" to start a sentence

A.01.002: Numbers

A. Expression of Numbers. Numbers will be expressed in numeric form 2 through 10 or more. The archaic ordinance convention of repeating numbers in both word and numeric form (i.e., "fifty (50)") will not be used.

B. Expression of Percentages. Percentages will be expressed using the % character only in tables and graphics, the word "percent" will be used in text.

A.01.003: Capitalization

Typical words to capitalize and not capitalize are as follows:

<i>Always Capitalize:</i>	<i>Don't Capitalize:</i>
AR, RE, LDR, MDR, HDR, CS, CC, CR, OL, OH, MU, BP, IP, IL, IG, IH, ONT, CIV, OS-R, OS-C, OS-U, RC, AG, ES, etc.	development agreement
Building Permit	specific plan, except when referring to a specific plan name
Chapter	zoning district
City	
City Council	
City Engineer	
Department (<i>all City Departments</i>)	
Development Code	
Division	
Federal	
Land Use Element	
Part	
Permit types (e.g., Use Permit, Variance, etc.)	
Planning Commission	
Planning Director	
Section	
State	
Subparagraph	
Subsection	
Title	

A.01.004: Hyphenation

A. Hyphenation of Compound Nouns. Use a hyphen with compound nouns, such as “father-in-law” or “right-of-way.” Additionally, a hyphen is used to join two or more words that serve as a single adjective that describes a noun.

Examples:

- A fifty-year-old man has won the marathon.
- The detective noticed the run-down heels of the suspect.

B. Words to Hyphenate and Not Hyphenate. Typical words to hyphenate and not hyphenate are as follows:

<i>Hyphenate:</i>	<i>Don't Hyphenate:</i>
one-story, 2-story, 3-story, etc.	
one-foot, 2-foot, 3-foot, etc.	
single-family	"anti" words are one word (i.e., antiestablishment)
multiple-family	"mid" words are one word (i.e., midway), except mid-sixties, mid-century, or when used with any proper capitalized noun, such as mid-January
right-of-way (plural is rights-of-way)	"citywide" (as an adjective)
off-site (adjective or adverb)	"multi" words are one word (i.e., multifaceted), except when a hyphen would prevent one word from being mistaken for another (i.e., multi-ply fabric).
on-site (adjective or adverb)	"non" words are one word (e.g., nonconforming, nonuse, nonurban, nonresidential, etc.), except when combined with any capitalized proper noun (e.g., non-English, non-Indian, non-Italian, etc.
on-ramp	"pre" words are one word (i.e., preexisting), excepting "pre-engineered"
off-ramp	"re" words are usually one word (i.e., reengineered), excepting words that would have duplicate meanings (e.g., resign, re-sign)
self- (when used as a prefix)	"retro" words are one word (i.e., retroactive, retrofit)
-type	

A.01.005: Commas Separating Items in a Series

Use commas to separate three or more items in a series. The items may be single words, phrases, or clauses. A comma before the last item is optional if there are exactly three items in the series.

A.01.006: Colons

A colon is usually used in one of 2 ways: **[i]** It may be used to introduce the reader to whatever follows it, signaling: "Here is something you should pay attention to;" or **[ii]** the colon may follow an independent clause (a complete statement) to introduce a defining example, a list, or a quotation.

Examples:

- She had only one person to blame: herself.
- A new menace threatens eastern Canada: pollution.
- To be physically healthy, we need three things: ample rest, a good diet, and plenty of exercise.
- The title of one of his poems signifies Dylan Thomas's feelings about his father's death: "Do Not Go Gentle into That Good Night."

A.01.007: Semicolons

A. A semicolon joins two independently expressed ideas; it also implies a relationship between them.

B. Semicolons can be used between closely related independent clauses, and may be used instead of commas, to separate items in lengthy, complex lists.

Examples:

- I am hoping to see The Titanic before it leaves town; I am told that the 3 hours it takes to watch this movie passes very quickly.
- We visited Erie, Pennsylvania; Buffalo, New York; and Toronto, Ontario.

C. Transition words are sometimes used between independent clauses; to show cause and effect, or the continuation of ideas. Words and phrases used in this way are preceded by semicolons, and followed by commas.

Examples:

- We greatly appreciate your excellent on-the-job performance; therefore, we are giving you a raise.
- Computers have replaced the postal system as the "medium of choice" for correspondence; for example, e-mail is far more frequently used than letters of request for obtaining information.
- Listed below are words and phrases that require semicolons and commas when used in these types of constructions:

- Besides
- Consequently
- Furthermore
- For example
- However
- In fact
- Moreover
- Nevertheless
- Therefore
- Thus

A.01.008: Outline Format

The provisions of the Development Code will be organized according to the following outline (*Note: "X" and "x" are used as a placeholder for the actual Arabic numeral that will be used*):

Chapter X: (12 pt)

[Name of Chapter] (16 pt)

Division X.XX—[Name of Division] (12 pt)

X.XX.xxx: [Name of Section] (10 pt)

A. [Subsection Title]. [standard text] (10 pt)

1. [Paragraph Title]. [standard text] (10 pt)

a. [Subparagraph Title]. [standard text] (10 pt)

(1) [Subparagraph Title]—[standard text] (10 pt)

(a) [Subparagraph Title]—[standard text] (10 pt)

A.01.009: References and Citations

A. Referencing Text Outside of the Same Section. When a cross-reference is to text outside of the same section being referenced, the cross-reference starts with the Chapter number and continues to the appropriate level for the reference. For example, 2.01.050.B. refers to Subsection B. of Section 050, of Division 01, of Chapter 2. The terms Chapter, Division or Section are used if the reference is to an entire Chapter, Division or Section. Cross-references will include the applicable Chapter, Division or Section number, followed by the name of the Chapter, Division or Section in parenthesis (e.g., “Division 2.01 (Planning Agency)”).

B. Referencing Text within the Same Section. When a cross-reference is to text within the same section, the name of the Section level is used (i.e., Subsection, Paragraph, Subparagraph, etc.) and the reference “number” starts with the appropriate subsection letter. For example, the statement: “see Paragraph D.2,” refers to Paragraph 2, of Subsection D, of the same Section.

C. Citation of External Documents.

1. Provisions of State law that are cited in the Development Code will be referenced by the abbreviated name (as defined in the Development Code Glossary) of the applicable State code, and either individual or multiple section numbers (e.g., “GC Section 65091,” when referring to “Government Code Section 65091,” etc.).

2. City documents, other than The Ontario Plan, that are not part of the Ontario Municipal Code (e.g., specific plans, etc.) will be referenced in the Development Code by showing the document title in italics.

3. Provisions of the Ontario Municipal Code that are cited in the Development Code will be referenced by the abbreviation OMC, followed by the applicable Title, Chapter, Article or Section number, and the name of the Title, Chapter, Article or Section in parenthesis (e.g., “OMC Title 5 (Public Welfare, Morals and Conduct), Chapter 29 (Noise),” “OMC Section 5.29.04 (Exterior Noise Standards),” etc.).

Reference B—Architectural Styles

Architectural styles classify architecture in terms of the use of form, techniques, materials, period, region, and other stylistic influences. This reference has been established to ensure consistency of terminology, and appropriate examples of architectural styles, as they are used or reference within the Development Code.

Follows, is a discussion of the below-listed architectural styles and those architectural features that are common to each recognized style:

Romantic Period (1820-1880)

- [Gothic Revival \(1850s - 1880s\)](#)
- [Italianate \(1860s - 1880s\)](#)
- [Late Carpenter's Gothic Revival \(1860s - 1900s\)](#)

Victorian Period (1860s-1900s)

- [Eastlake \(1870s - 1880s\)](#)
- [Richardsonian Romanesque \(1870s - 1890s\)](#)
- [Second Empire \(1870s\)](#)
- [Stick \(1880s\)](#)
- [Victorian Eclectic \(1880s - 1900s\)](#)
- [Queen Anne \(1885s - 1900s\)](#)
- [Shingle \(1890s - 1920s\)](#)
- [American Foursquare \(1900s\)](#)

Commercial Styles

- [Commercial \(1883 - 1900\)](#)
- [Beaux Arts \(1890s - 1930s\)](#)

Anglo-American, English and French Revival Period (1895-1940s)

- [Colonial Revival \(1890 - 1915\)](#)
- [Dutch Colonial Revival \(1890 - 1915\)](#)
- [Late Gothic Revival \(1895 - 1940s\)](#)
- [Bungalow \(1900 - 1940s\)](#)
- [French Eclectic Revival \(1900 - 1930s\)](#)
- [Tudor Revival \(1900s - 1930s\)](#)
- [Neoclassical Revival \(1900s - 1920s\)](#)

Modern Period (1895-1940s)

- [Craftsman \(1895 - 1920s\)](#)
- [Prairie \(1900s - 1920s\)](#)
- [Art Deco \(1920 - 1940s\)](#)
- [Art/Streamline Moderne \(1920s - 1940s\)](#)

Mediterranean Revival Period (1900s-1940s)

- [Mission Revival \(1890 - 1915\)](#)
- [Mediterranean Revival \(1900s - 1930s\)](#)
- [Pueblo Revival \(1900s - 1930s\)](#)
- [Spanish Colonial Revival \(1915 - 1930s\)](#)
- [Monterey Revival \(1920s - 1940s\)](#)

Mid-Century Modern (1920s-1960s)

- [Usonian \(1920s - 1960s\)](#)
- [Minimal Traditional \(1930s - 1950s\)](#)
- [California Ranch \(1930s - 1960s\)](#)
- [Early Post-War Tract \(1940s - 1960s\)](#)
- [Modern \(1930s - 1960s\)](#)

Commercial Styles

- [International \(1930s\)](#)
- [Corporate International \(1940s\)](#)
- [Googie/50s \(1950s\)](#)

Post Modern Period (1960s-1980s)

- [Brutalism \(1960s\)](#)
- [New Formalism \(1960s\)](#)
- [Post Modern \(1970s\)](#)
- [Deconstructivism \(1970s\)](#)

GOTHIC REVIVAL (1850s - 1880s)



The Gothic Revival movement began 30 years before the founding of Ontario; however, it continued into the late 1940s and early 1950s. The Gothic Revival style is the earliest of the three Gothic Revival styles. The other two are the Late Carpenter's Gothic Revival (1860s through 1900s) and the Late Gothic Revival (1895-1940s). This style often combined classic Greek Revival buildings with Gothic Revival elements.

This style, while not built in Ontario, is compatible with the development of Ontario's downtown area. The Gothic Revival style was most often used on churches.

Common Features

- High-pitched roofs
- Projecting pinnacles
- Decorative bargeboards on gable cornices
- Frequent occurrence of wall gables
- Split pilasters in porches
- Multi-colored bands, used especially with brick
- Open Tudor arches, used most in porches
- Windows were typically pointed, lancet windows with wood frames
- Doorways were typically pointed with lancet arches to match lancet windows
- Doors were typically wood, either plain or ornate, with a stained finish

Colors

Buildings were painted a light color. Exposed brick (not painted) was also typically used. Accent colors for window and doorframes were typically darker, richer colors.



*St. Joseph's Church
Denver, Colorado*

ITALIANATE (1860s - 1880s)

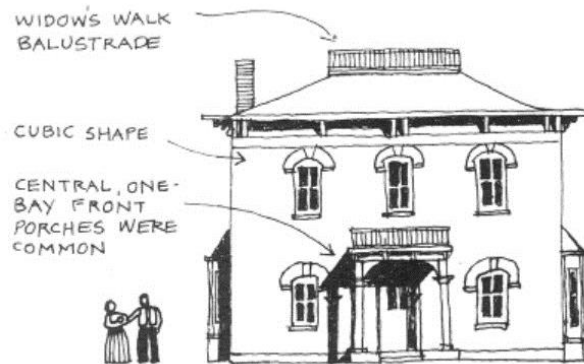


Like many Victorian-era styles, Italianate emphasized vertical proportions and richly decorative detailing. It was found on residential, commercial, and industrial structures in America from about 1870, until the turn of the century.

Some of Ontario's commercial buildings were originally designed with Italianate elements. While not typically built in Ontario, the Italianate style is easily compatible with Ontario's historic neighborhoods.

Common Features

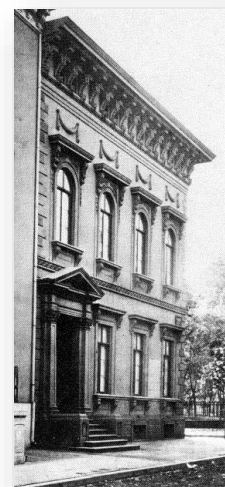
- Low-pitched or flat roof
- Wide, overhanging eaves
- Paired bracketed cornices
- A variety of fenestrations (usually very tall, narrow, double-hung, one-over-one windows)
- Molded window surrounds
- Doors are typically carved wood or other ornate wood doors, with a stained finish
- Square cupola
- Wood frame
- Arcade porch topped with a balustrade balconies
- Rectangular massing of house
- Elaborately decoration
- Balanced, symmetrical façade
- Emphasis on vertical proportions: 2 to 4 stories
- Side bay window
- Heavily molded double doors
- Roman or segmented arches above windows and doors
- Simple Italianate structures have a hip roof, bracketed eaves, and molded window surrounds. A more elaborate or high style example may feature arcaded porches, corner quoins, towers, and ornate detailing. There are also some Italianate structures that are flat-roofed, with a front bay and entrance, and a decorated cornice.



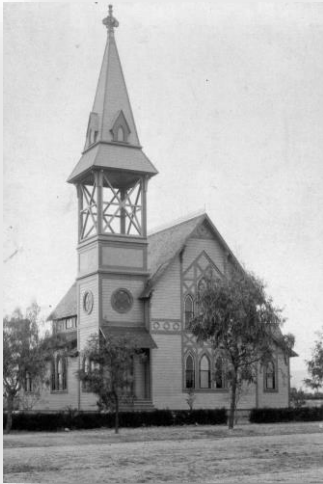
Typical Italianate Architectural Features

Colors

Buildings were typically painted a light color, with a second trim color. A third color was occasionally used on window frames.



LATE CARPENTER'S GOTHIC REVIVAL (1860s - 1900s)



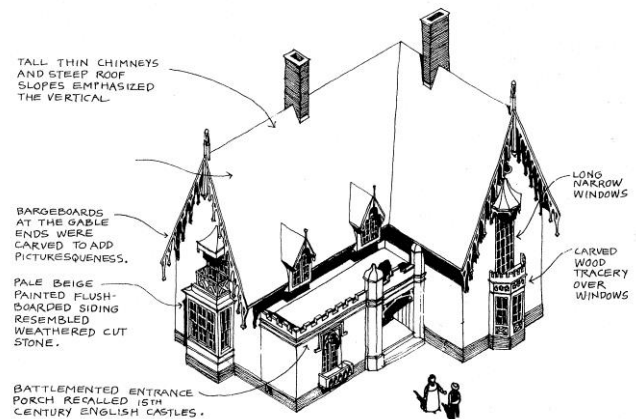
The Late Carpenter's Gothic Revival style is the second of the Gothic Revival styles. This version of the Gothic Revival movement combined Victorian styles, such as Eastlake and Queen Anne, with Gothic Revival Elements. Most churches built in the late 1800s were of this style.

Several early buildings in Ontario history were of the Late Carpenter's Gothic Revival style; unfortunately, no examples of this style remain in the City. The best example was the original First Methodist Church, shown left.

The Late Carpenter's Gothic Revival style is compatible with the development of Ontario's downtown area.

Common Features

- High-pitched roofs
- Rectangular gable roof with tower
- Pointed spire tower roof
- Main entranceway either a lancet or segmented arch.
- Belfry openings lancet arch
- Windows were typically pointed, lancet windows, with wood frames
- Doors were typically wood, either plain or ornate, with a stained finish
- Doorways were pointed, with lancet arches matching the window design



Typical Late Carpenters Gothic Revival Architectural Features

Colors

Buildings were painted in a light color. Accent colors for window and doorframes were typically darker, richer colors.

EASTLAKE (1870s - 1880s)



The Eastlake style is a decorative style that incorporates elements from the other Victorian styles (Queen Anne, Stick, Second Empire, etc.). There are only a few examples of any of the Victorian styles within the City, and there are no known examples of the Eastlake style within the City.

Common Features

- Large decorative porches
- High pitched gable roofs (or variations of the gable roof, i.e. cross gable, etc.)
- Wood siding or shingles for exterior walls
- Turned posts
- Carved gable end decoration
- Cut out patterns on porch frieze
- Other typical features found in the Queen Anne, Second Empire and Stick styles
- Windows were typically individual double or single-hung wood frame windows. Stained glass windows were also used to accent an interior or exterior feature
- Doors were typically ornate, and could include stained or beveled glass panels
- Glass sidelights with either stained or beveled glass to match front door were also used on larger homes, as were double doors for the front entrance



Example of the Eastlake Style

Colors

Homes were typically painted in color schemes consisting of 5 to 7 colors. Palettes were very eclectic, ranging from bright colors to muted tones. Every detail was painted in different colors to accentuate them.

RICHARDSONIAN ROMANESQUE (1870s - 1890s)

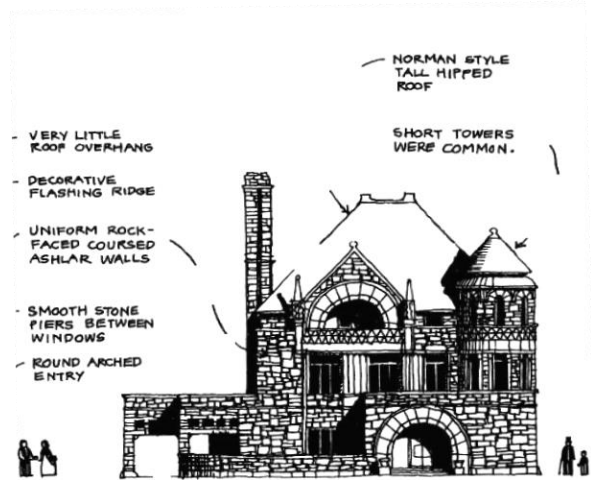


Henry Hobson Richardson made this style famous, and it bears his name. It became known with buildings with great prestige. The style is derived from the architecture of France and Spain from the Middle Ages (typically the 11th and 12th centuries). Most building in this style include public buildings, such as churches and government offices, and large homes. A good example of the style is depicted in St. Brigid's Church, located in San Francisco, California, shown left.

There are no known buildings within the City that are of this style; however, the style is compatible with many of the buildings located in Ontario's original downtown.

Common Features

- Use of weight and mass as prime elements
- Medieval type of building form
- Masonry walls
- Arch and dentil details on walls
- Extensive use of arches, typically an early Christian arch, as used in the Middle East
- Arch used a single arch or arcade
- Deep recessed windows
- Squat columns
- Pressed metal bays and turrets
- Windows were typically rectangular and divided into rectangular patterns by mullions and transoms
- Doorways were rectangular, typically with stained wood doors, which were either plain or ornate



Typical Richardsonian Romanesque Architectural Features

Colors

Buildings were typically natural stone. Accent colors for window and doorframes were typically darker, richer colors.

SECOND EMPIRE (1870s)



The Second Empire style takes its name from the French Second Empire, during the Reign of Napoleon III, taking design queues from the grand buildings being constructed in Paris at the time. The style became the most popular in America during the period, with many private homes and public buildings created in the style.

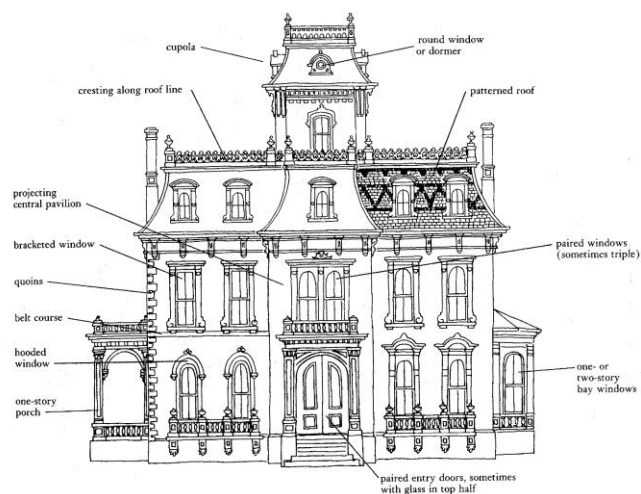
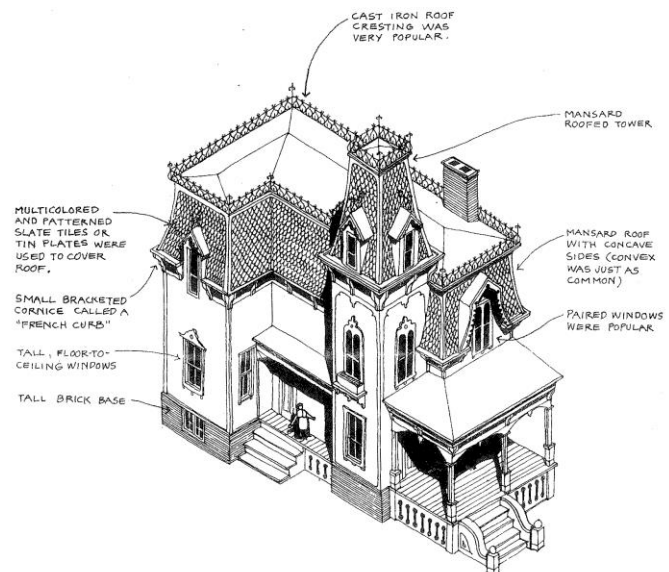
The Second Empire style began to die out before the Chaffey brothers founded Ontario. The style is, therefore, very rare in the City. One of the few and best example of the style within the City is the William Fallis House, Ontario's first Historic Landmark.

Common Features

- Mansard roof
- "Widow watch" towers
- Slate or wood shingle roofs with cast iron cresting
- Dormers in mansard roofs, with
- Wood siding or smooth plaster finish stucco for exterior walls
- Symmetrical design
- Centered front porches
- Tall brick foundations and bases
- Turned porch columns
- Horizontal banding separating floors
- Windows were typically tall, individual double or single-hung wood frame arranged in groups of 2 or 3
- Doors were typically ornate, with stained or beveled glass panels. Glass sidelights, with either stained or beveled glass to match the door were also used on larger homes, as was the use of double front doors

Colors

Homes were typically painted in color schemes consisting of 4 to 7 colors, depending upon the detail of the house. Palettes were very eclectic, ranging from bright colors to muted tones. Details were typically painted in different colors to accentuate them.



Typical Second Empire Architectural Features

STICK (1880s)



The Stick style of architecture was popular from the 1860s through the 1890s. It was one of several styles of architecture employed during the Victorian era. Architectural critics of the day were stressing honesty in architectural design, believing that a building should visibly reflect its materials and method of construction. This was a reaction against the excesses of the ornate Victorian styles. The linear geometric Stick style is a result of this reform movement. Of course, the actual structure of a Stick style is not visible; the stick pattern is purely decorative. However, this pattern was reminiscent of medieval English heavy timber building traditions, in which the actual structural skeleton of the building was visible from the building exterior.

Some early homes in Ontario were built in the Stick style, some of which were mixed with the Queen Anne style. The most prominent Stick style home in Ontario is the Oakley House, shown top.

Common Features

- Overhanging eaves, usually with exposed rafter ends
- Wood construction with boxy projections: bays, wings, and towers
- A grid-work of raised boards called "stick work" overlaying the clapboarded wall surface
- Irregular, asymmetrical forms and rooflines
- Vertical, horizontal, or diagonal boards applied over clapboard siding
- Angularity, asymmetry, verticality
- Roof composed of steep intersecting gables
- Large veranda or porch
- Simple corner posts, roof rafters, brackets, porch posts, and railings
- Individual casement windows, or double or single-hung wood frame windows
- Stained glass windows to accent interior or exterior features
- Ornate doors, which could include stained or beveled glass panels
- Glass sidelights, with either stained or beveled glass to match front door, were used on larger homes, as were double doors for the front entrance

Colors

Homes were typically painted in color schemes consisting of 5 to 7 colors. Palettes were very eclectic, ranging from bright colors to muted tones. Every detail was typically painted a different color to accentuate them.



Example of the Stick Style

VICTORIAN ECLECTIC (1880s – 1900s)



Victorian Eclectic structures are highly decorative and exhibit stylistic influences so numerous that they do not fit into any of the previous single styles of architecture. Dating from the 1870s through 1900, these buildings feature an unusual combination of elements from a variety of Victorian styles. Details from the Queen Anne, Gothic, and Italianate styles were borrowed most often, and were combined to create highly decorative building features, as shown to left and below. Victorian Eclectic structures tend to be broader and taller than earlier architectural styles, and much more complex. This style, while needed to address local vernacular architecture, is not an approved architectural style by the California

Office of Historic Preservation and cannot be used in Historical Resource Surveys.

Some early examples of the Victorian Eclectic style exist in Ontario. This style was also adapted into a variation of a bungalow, and was often called a Folk Victorian, due to its more whimsical architectural details.

Common Features

- Square, symmetrical shape
- Brackets under the eaves
- Pediments
- Gothic pointed arches
- Sunburst detailing
- Roof cresting
- Semi-circular arched windows
- Oriel window
- Dormers
- Porches with spindle work or flat, jigsaw cut trim
- Carpenter gothic details
- Low-pitched, pyramid shaped roof
- Front gable and side wings
- Windows were typically individual casement or single-hung, with wood frames. Occasionally, metal frames were used to replicate the ironwork used on other details in the house
- Doors were typically carved wood or other ornate wood, with a stained finish



Example of the Victorian Eclectic Style

Colors

Homes were typically painted white with a second trim color. Sometime a third color was used on window frames.

QUEEN ANNE (1885s – 1900s)

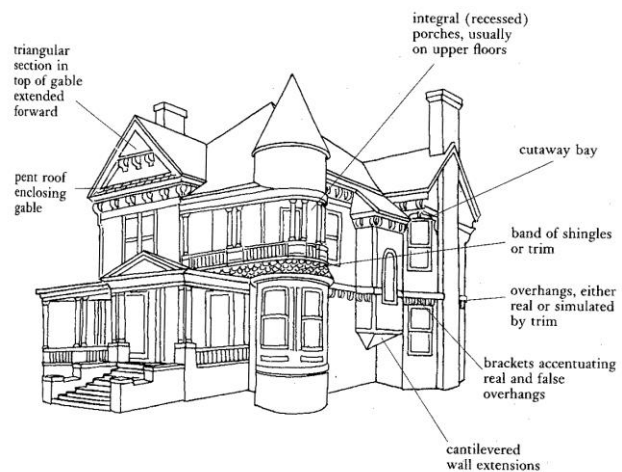


The most popular of the Victorian styles, the Queen Anne style was the culmination of all the various Victorian styles and was influenced by them. The Queen Anne style also made a partial comeback, when elements of the style were used in the creation of the Victorian variation of the Bungalow.

The public recognizes the Queen Anne style as “Victorian,” and this style continues to have elements replicated on tract homes and farmhouses across the country. Several Ontario Historic Landmarks are of the Queen Anne style. One of the most prominent is the John Stewart House, shown above.

Common Features

- Round, square or octagonal towers
- Steep pitched gable roofs, or variations of the gable roof, such as a cross gable roof form
- Wood siding and/or shingles for exterior walls
- Large front porches
- Rock or brick foundations and bases
- Turned porch columns
- Decorative shingle patterns, typically on gable ends
- Spindle work friezes on porch
- Brick chimneys
- Decorative brackets
- Individual casement, or double or single-hung wood frame windows
- Stained glass windows used to accent interior or exterior features
- Ornate doors were with a stained finish, and may include stained or beveled glass panels
- Front door of larger homes had glass sidelights with either stained or beveled glass.



Typical Queen Anne Architectural Features

Colors

Homes were typically painted in color schemes consisting of 5 to 7 colors. Palettes were very eclectic, ranging from bright colors to muted tones. Every detail was painted in a different color to accentuate them.

SHINGLE (1890s - 1920)



The Shingle style was known for its extensive use of wood shingles, hence the name. While other Victorian styles of the era were very ornate, the Shingle style was not. It was simple in form and detailing, and emphasized the uniformity of its surface materials. The Shingle style was one of the most popular styles on the nation's eastern coast, and was not widely used in California. The most prominent use of the Shingle style was on the New England coast.

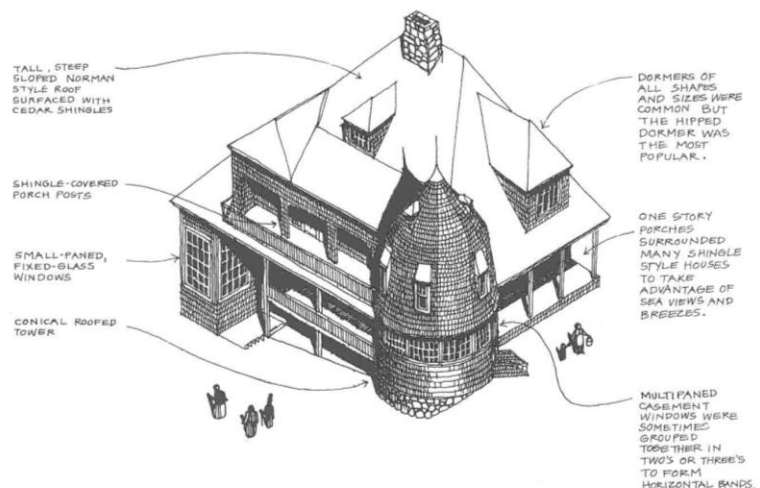
There are no known buildings of this style in Ontario; however, this style may be compatible with some of Ontario's oldest neighborhoods.

Common Features

- Round towers
- Steep pitched gable roofs (or variations of the gable roof, i.e. cross gable, etc.)
- Wood shingles for exterior walls
- Large front porches
- Stone (sometimes brick) foundations and bases
- Extensive use of Dormers
- Use of Palladian windows
- Windows were typically individual casement, double or single-hung wood frame, with a multiple-pane upper sash and a single-pane lower sash. Stained or beveled glass windows were also used
- Doors were typically plain with a stained finish, but could include stained or beveled glass panels. Glass sidelights, with either stained or beveled glass were also used

Colors

Homes were not typically painted. The shingles were either left exposed in order to allow them to weather, or they were stained in a semi-transparent color. Dark, rich accent colors were typically used on window and doorframes.



Typical Shingle Architectural Features

AMERICAN FOURSQUARE (1900s)



The Foursquare is easily recognized by its square plan and overall simplicity. The majority of these houses were built during the first three decades of the 20th century.

The typical Foursquare is a two-story hipped roof structure, with a central dormer, minimal decoration, broad overhanging eaves with brackets or modillions, classical frieze with dentils, and a porch with hipped roof supported by simple Doric columns or square posts. Occasionally, a Foursquare will feature a shaped gable, or will be considerably larger, with ornamentation that is more elaborate. In each case, however, the basic square plan is predominant. Later Foursquare houses often had the same type of interiors as Bungalows, with open floor plans, lots of built-ins, and fireplaces. Popularized by pattern books and

Sears Roebuck & Company mail order kits, the American Foursquare spread to residential neighborhoods throughout the United States.

The majority of American Foursquare houses in Ontario are located on the west side of the City's original downtown. There are several such homes located along Euclid Avenue, including the Pollock House, pictured above. Additional examples of the American Foursquare home are pictured below

Common Features

- Box Shape
- Two-and-a-half stories high
- Four-room floor plan
- Brick, stone, or wood siding
- Simple low-hipped roof, with deep overhangs
- Large central dormer
- Side bays
- Doric or square columns
- Decorative brackets
- Dentils
- Classical frieze
- Modillions
- Windows were typically individual casement, or single-hung, with wood frames
- Simple wood doors were used, with a stained finish



Example of the American Foursquare Style

Colors

Homes were typically painted in three earth-toned colors. On some occasions, when the siding material changed between the first and second story (i.e. shingles and clapboard siding), two shades of the same color would be used to distinguish the change in material. Typically, the darker shade would be painted on the upper story.

COMMERCIAL (1883 - 1900)



The Commercial style was created to address the vernacular brick commercial buildings built in Ontario from 1885 until the early 1900s, as shown to the left. The buildings were made of brick and were influenced by a variety of styles, including Queen Anne and shingle styles. This style, while needed to address local vernacular architecture, is not an approved architectural style by the California Office of Historic Preservation and cannot be used in Historical Resource Surveys.

Many of these buildings were altered in the 1950s to give them a more modern appearance, but most of the features are hidden under the alterations.

Common Features

- Brick walls
- Flat roof with decorative cornice
- Towers and other vertical projections at corners
- Recessed and projecting elements
- decorative pilasters
- Windows were typically individual casement or single-hung wood frame
- Storefronts typically consist of large plate glass windows with a short bulkhead located at ground level. Above the storefront were small transom windows (operable or non-operable)
- Doors were typically glass with painted frames



Colors

The base color of commercial buildings was typically exposed brick. Dark, rich accent colors were typically used for window and doorframes.



Examples of the Commercial Style

BEAUX-ARTS (1890s – 1930s)



The Beaux-Arts style, also known as the Classical Revival style, was used predominantly in public buildings, such as libraries and banks. The style was based on the Greek and Roman architectural orders, was very grandiose in nature, and had monumental proportions. Many banks, libraries, churches, and similar buildings chose the style, as the style implied importance. It was also the style typically chosen for homes for the very wealthy.

There were few classical revival buildings ever constructed within Ontario, and even fewer known examples are left standing within the City, such as the Bank of America building, above.

Common Features

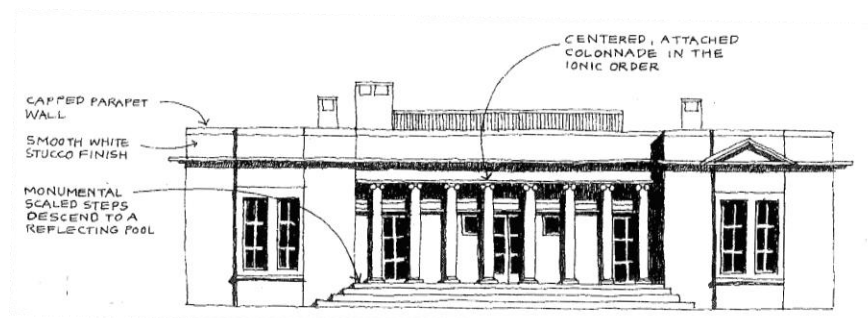
- Smooth stone base
- Flat roofs
- decorative cornices
- projecting pediments
- capped parapet walls
- Smooth wall surfaces, usually stucco (smooth cement-plaster finish)
- Windows were typically individual casement or single-hung wood frame
- Storefronts typically consisted of large plate glass windows with a short bulkhead located at ground level. Above the storefront were small transom windows (operable or non-operable)
- Doors were glass, with painted frames. Occasionally, decorative solid doors were used.



Example of the Beaux Arts Style

Colors

The base color of the building was typically white, with an exposed smooth stone base. Trim and accent colors were typically light muted earth tones, with very little variation in color.



Typical Beaux Arts Architectural Features

COLONIAL REVIVAL (1890 – 1915)



The Colonial Revival style was simple and symmetrical, and had a variety of different roof forms. Of the many period revival styles that became popular during the 1920s, the Colonial Revival style relied upon architectural elements from America's past. This style was heavily influenced by the Cape Cod, Georgian, and Federal styles. This style was also adapted as a variation of the Bungalow style.

There are very few Colonial Revival homes in the City, but there are many examples of the Colonial Bungalow style, as pictured top left and below right.

Common Features

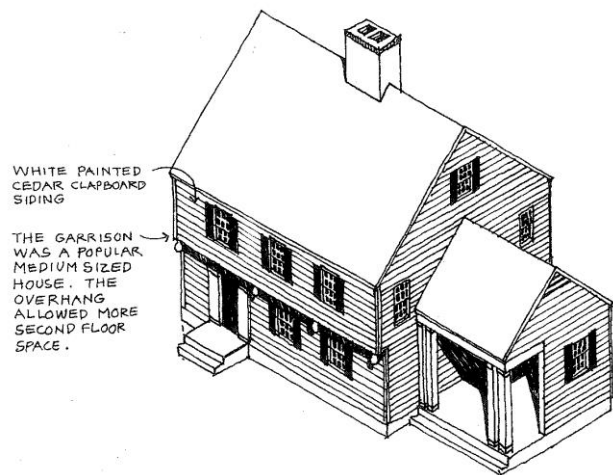
- Wood clapboard siding (occasionally brick was used, not typical in Ontario)
- Gable or hipped roof
- Small centered porch
- Projecting pediment
- Simple porch columns
- Symmetrical façade
- Windows were typically individual single or double-hung wood frame
- Doors were typically decorative solid wood with glass sidelights

Colors

The base color of the building was typically lighter shades of blues, yellows and greens. Typical colors were blue grey and sea foam green. Trim and accent colors were typically white.

Bungalow Variation

The Colonial Bungalow had the elements of the Colonial Revival style with one modification, Colonial Bungalows typically used a hipped gable roof, rather than just the straight gable or hipped roof.



Typical Colonial Revival Architectural Features

DUTCH COLONIAL REVIVAL (1890 - 1915)



The Dutch Colonial Revival style is a version of the Colonial Revival style. It has all the typical features of the Colonial Revival style, with one major exception, the incorporation of a gambrel roof. There are a small number of Dutch Colonial Revival style homes in the City, exemplified left and below, as the style was not as popular as the Colonial style, or other revival styles.

Roof

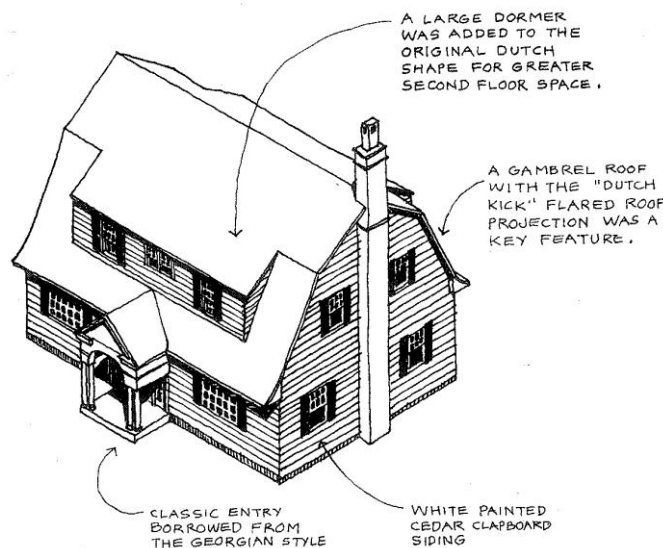
The typical roof style for a Dutch Colonial Revival is a gambrel roof with dormers on the second story.

Other Features

See Colonial Revival style for other features typically found in Dutch Colonial Revival homes.



Example of the Dutch Colonial Revival Style



Typical Dutch Colonial Revival Architectural Features

LATE GOTHIC REVIVAL (1895 - 1940s)



The most common of the three Gothic Revival styles in California is the Late Gothic style. It is also the most accurate in terms of architectural details and form. Whereas the earlier forms of Gothic Revival architecture combined other styles, such as Greek Revival, or one of the Victorian styles with Gothic Revival elements, the Late Gothic Revival style is more true to the English and French Gothic styles. The Late Gothic style was used primarily in churches and schools.

Several Churches in Ontario were designed in the Late Gothic Revival style, and each of them used unique materials. St. George Church is probably the best example of the style, with its brick exterior. Other good examples are the Bethel Congregational Church, shown above left, which used stone as the exterior material, and the First United Methodist Church, shown below, which used a stucco exterior.

Common Features

- Simple smooth surfaces
- Steep pitched gable roofs or variations of the gable roof, such as the cross gable
- Elaborate stained or leaded glass
- Designed to be low to the ground
- Large towers
- Main entranceway either a lancet or segmented arch.
- Belfry openings lancet arch
- Windows were typically pointed, lancet windows, with wood frames. Stained or leaded glass was also used
- Doors were typically plain or ornate wood, with a stained finish
- Doorframes were pointed with lancet arches to match the window design

Colors

Buildings were painted a light color; however, brick and stone buildings exteriors were not painted. Dark, rich accent colors were typically used on window and door frames.



*First United Methodist Church
Ontario, California*

BUNGALOW (1900s - 1940s)



Although the bungalow is more of a type of home than a style, it is included in this list to address the smaller homes built from the late 1900s through the 1940s. The bungalow type of home was adapted to many architectural styles, but clear differences still remained. For example, a Craftsman home, such as the Gamble House in Pasadena, is far different from the many Craftsman Bungalows built in Southern California. The bungalow started in California in the early 1910s, primarily as an outgrowth of the Craftsman style.

Bungalows are informal, simple houses, designed to address the need for more affordable housing. Bungalow floor plans are informal, with open spaces. Although there are many larger, two story bungalows, most bungalows were typically one story.

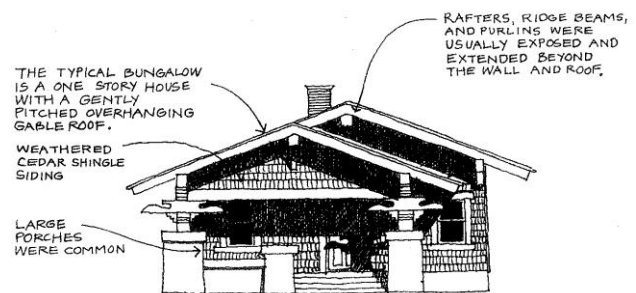
The bungalow became the first style of home to be built on a mass scale by contractor-builders. Tracts of these semi-custom homes were built on a speculative basis by developers, thus setting the foundation for tract home development that occurred after World War II. As a result, the Bungalow is the most common historic home type in Ontario, such as the Craftsman Bungalow pictured above.

As time passed, variations of the Bungalow developed, based upon many different architectural styles, such as Colonial Revival, Victorian, and Mediterranean Revival. In California, a unique variation of the Bungalow was created. Called the California Bungalow, this style was a cross between the Craftsman and Mediterranean Revival styles.

Regardless of the underlying style, Bungalows have many common features and design elements. Many, but not all, of the Bungalow variations are included in the List of Architectural Styles approved by the California Office of Historic Preservation.

Common Features

- Open floor plan
- Large front porches with stoop
- Low pitched roofs
- Windows were typically either single or double-hung, or casement styles, with wood frames (sliding styles were not used)
- Designed with many windows grouped in sets of 2 or 3, to let in natural light
- Front windows were typically large in size
- Front doors were typically large and decorative, matching the style of architecture



Typical Bungalow Architectural Features

Colors

Exterior colors used were consistent with the basic architectural style of the Bungalow.

Bungalow Variations

Follows, are some of the most common variations of bungalows:

Craftsman Bungalow (1905 - 1940). Based upon the Craftsman style home and, most notably, the work of Greene and Greene Architects. This is the most common Bungalow style constructed in the City, and was dominant from the early 1910s through the mid-1920s. See Craftsman style for common features and details.



Colonial Revival Bungalow (1905 - 1940). Based upon the Colonial Revival style of architecture, these homes were built starting in the late 1910s, and became more prevalent as the revival styles became popular in the 1920's. See Colonial Revival style for common features and details.

Victorian Bungalow (1900 - 1920). Based upon the Queen Anne style predominant in the late 1800s, these homes were built in the early 1910s and were not as popular as the other Bungalow styles.



California Bungalow (1920 - 1940). As a mix of the Craftsman and Mediterranean Bungalows, these homes were built in the early to mid-1920s as the popularity of the Craftsman style was dying and the Period Revival styles was rising.

Mediterranean Bungalow (1920 - 1940). Based upon the Mediterranean Revival style, these homes were built in the mid-1920s through the 1930s, and are the second most common Bungalow style constructed in the City.



Vernacular Bungalow (1900 - 1940). This variation of Bungalow is absent of architectural details that would categorize it in any particular style.

FRENCH ECLECTIC REVIVAL (1900 – 1930s)

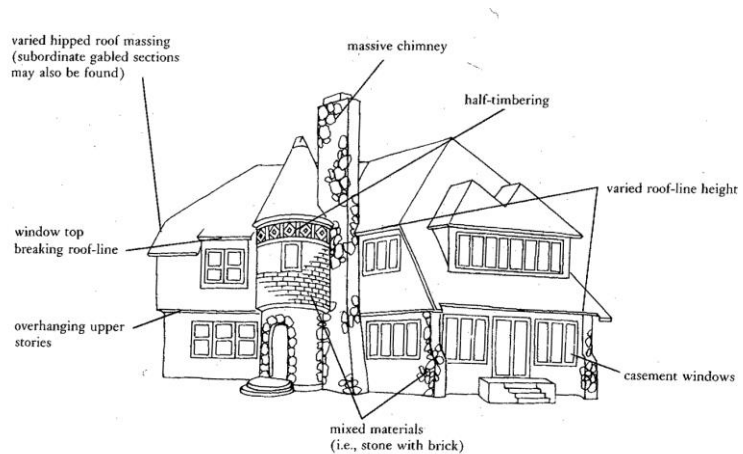


One of the many period revival styles that began in the 1920s and became popular in the late 1920s through the early 1930s, the French Eclectic style replicated the cottages that dotted the French countryside, and were popular in fairy tales. French Eclectic Revival also includes a more formal sub-group that relates more toward the larger, formal homes in found in France.

There are many examples of French Eclectic homes, in Ontario, primarily within the Rosewood Court Historic District, as pictured left and bottom-right. There are, however, no examples of the more formal sub-group existing within the City.

Common Features

- Curved roof ridge to simulate thatched roof
- Wood Shake roof with wavy pattern
- Steep pitched gable roofs or variations of the gable roof, such as cross gables
- Stucco for exterior walls
- Small or no porches.
- Multi-paned windows
- Large central chimneys
- Round silo type towers
- Individual casement windows, or double or single-hung multi-paned windows, with either wood or metal frames
- Stained glass windows to accent interior and exterior features
- Simple doors with a stained finish and stained or beveled glass panels



Typical French Eclectic Revival Architectural Features

Colors

Homes were typically painted in color schemes consisting of 3 colors. Base colors were typically light earth tones. Trim colors were typically in contrast to the base color. Window frames were typically painted dark colors.



Example of the French Eclectic Revival Style

TUDOR REVIVAL (1900s – 1930s)



The Tudor style replicated the cottages and homes of the English countryside and became one of the many period revival styles that began in the 1920s, and was popular from the late 1920s through the early 1930s.

There are many examples of Tudor homes in Ontario, primarily in the Rosewood Court Historic District. An example of the style is pictured left and below.

Common Features

- Slate or Wood Shake roof
- Steep pitched gable or hipped roofs
- Brick for exterior walls, sometimes mixed with stucco (on upper stories)
- Half-timbered details on upper stories or gable ends
- Multi-paned windows
- Large central chimneys
- Cantilevered second floor pop-outs
- Individual casement windows, or double or single-hung multi-paned windows, with either wood or metal frames
- Stained glass windows to accent interior and exterior features
- Simple doors with a stained finish and stained or beveled glass panels

Colors

Homes were typically painted in color schemes consisting of 3 colors. Base colors were typically light earth tones. Trim colors were typically in contrast to the base color. Window frames were typically painted dark colors.



Typical French Eclectic Revival Architectural Features

NEOCLASSICAL REVIVAL (1900s – 1920s)



Often mistakenly called Colonial Revival due to the common belief that the founding fathers were the first Americans to build houses fronted with white columns; however, the truth is that only a handful of Colonial houses are known to have a Classical portico.

There are many smaller Neoclassical Revival Bungalow homes in the City, as pictured left, primarily located in and around the City's original downtown area; however, none of the larger Neoclassical Revival style homes may be found within the City. Examples of the larger Neoclassical Revival style homes are pictured below. The bungalow variation of the style is very appropriate for infill

development within with the historic neighborhoods of Ontario.

Common Features

- Hipped roofs with a prominent central dormer
- Colonnade porch, which may extend either the entire or partial width of the house
- Columns either with or without flutes
- Corinthian or Ionic capitals
- Boxed eaves with a moderate overhang
- Dentils or modillions
- Wide frieze band
- Rectangular double or single-hung windows, with wood frames (typically, a multi-paned upper sash, with a single paned lower sash)
- Simple wood doors with a stained finish



Example of the Neoclassical Revival Style

Colors

Homes were typically painted in color schemes consisting of 3 to 5 colors. Palettes were very eclectic, ranging from bright colors to muted tones. Every detail was painted in a different color to accentuate them.

CRAFTSMAN (1895 - 1920s)



The Craftsman Style was evolved from the Arts and Craft movement that originated in England in the late 1800s. The Craftsman variation of the bungalow is the dominant home style in Ontario's historic neighborhoods. There are several excellent examples of the Craftsman style in Ontario, such as the Latimer House shown left, along with an abundance of Craftsman Bungalows. The Craftsman style flourished in Southern California, with some of the best examples of the style located in local neighborhoods. The most famous Craftsman style architects were Charles

and Henry Greene, better known as Greene and Greene Architects. The best collection of their work is in several neighborhoods in Pasadena, including the Gamble House, shown below.

The Craftsman style developed as a contradiction to the Victorian era that preceded it. It was the first style that emphasized natural materials and functionality. The details were simple, contradicting the gingerbread of the Victorian home. The wood was stained, instead of painted, and the homes featured built in cabinets, buffets, and benches. The moldings and other trim work was simple shapes, which could create complex designs. Tile fireplaces were also used.

Common Features

- Exposed rafters
- Low-pitched gable roofs or variations of the gable roof, such as the cross gable
- Wood siding or shingles for exterior walls
- Large porches
- Rock foundations and bases
- River rock or brick columns
- Exposed wood beams and posts on porch structure
- Simple and large exposed attic vents
- Rock or brick chimneys
- Individual casement, double or single-hung wood frame windows
- Stained glass windows used to accent an interior or exterior feature
- Simple doors, which could include stained or beveled glass panels
- Larger homes had glass sidelights, with either stained or beveled glass to match front door

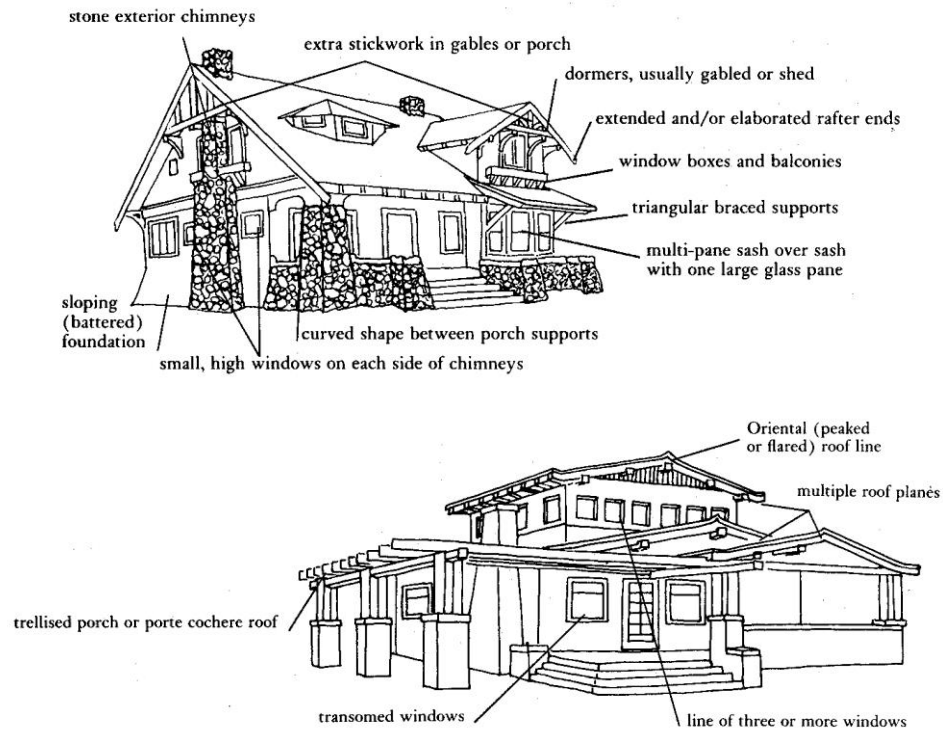


Example of the Craftsman Style

Colors

Homes were typically painted in color schemes consisting of 3 to 5 colors. Base colors were typically dark earth tones, usually browns or greens. Trim Colors were typically in contrast the base

color. Darker homes used lighter colored earth tones, such as beiges and tans, with lighter homes using darker trim colors. Window frames and end rafters would typically be painted a third accent color, closer in shade to the base color. Exposed roof and porch beams would typically be painted dark brown. One alternative to the color scheme would be mixing color palettes, for example, a maroon base, an olive green trim, and a dark brown window frame.



Typical Craftsman Architectural Features

PRAIRIE (1900s – 1920s)



Developed by Frank Lloyd Wright during the early part of his career, the Prairie style was developed to create a unique American style of architecture appropriate for the Midwest. Although not used historically in Ontario, the Prairie style would be compatible in most neighborhoods as an infill structure, or as part of new development.

The most famous Prairie style homes are in around Chicago and its suburb, Oak Park. The best examples of the Style are the Robie House, pictured above, and the Dana Lawrence House, pictured right.

Many of the features common to a Prairie style house are similar to those on a Craftsman style home. For example, both styles extensively used stained glass and wood on the interior of the homes, and both styles used built-in cabinets and buffets.

Common Features

- Large overhanging roofs
- Covered terraces
- Low pitched hipped roofs
- Stucco for exterior walls
- Large porches
- Extensive use of brick
- Banding of windows
- Individual casement or single-hung windows
- Stained glass windows to accent interior or exterior features
- Simple wood doors with a stained finish, which could include beveled glass panels
- Some larger homes included glass sidelights, with either stained or beveled glass to match the front door

Colors

Homes were typically painted in color schemes consisting of 3 colors. Base colors were typically light to medium earth tones, usually browns. If the base of a home was brick, it would be left exposed. Trim Colors were typically in contrast the base color. Darker colors, usually earth tones, were used. Window frames would be painted a third accent color, usually a darker color, such as maroon.



Example of the Prairie Style

ART DECO (1920 – 1940s)

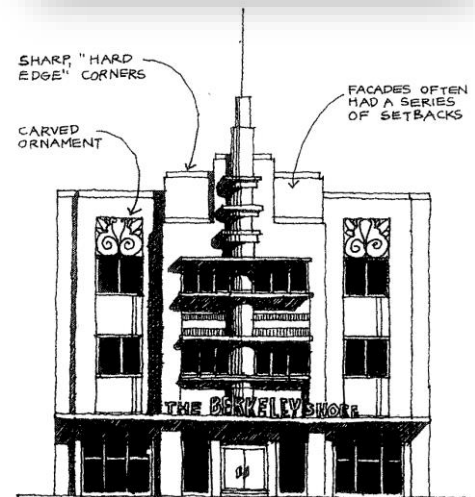


The Art Deco style became a fad by the late 1920s, remaining popular through the 1930s. It is known for extensive use of decoration, and its use of angular and geometric shapes. Hard edges, geometric shapes, and bright colors emphasized the style. The Art Deco style was popular with, and most famous for, its commercial buildings, but rarely found in homes. There are no examples of an Art Deco home in Ontario, but there are several examples of commercial buildings with strong Art Deco elements within the City's original downtown area (pictured above left and below right).

Several famous landmark buildings in Southern California are excellent examples of the Art Deco style, including the Eastern Columbia Building, and the former Bullock's Wilshire building (now Southwestern Law School), both in Los Angeles.

Common Features

- Smooth wall surfaces, usually stucco (smooth plaster finish)
- Flat roof with coping
- Towers and other vertical projections
- Decorative motifs such as chevrons, zigzags (usually on towers)
- Geometric shapes
- Hard corners
- Carved ornaments
- Fluted columns and pilasters
- Windows grouped to create strong vertical lines and to emphasize the tower elements
- Storefronts were typically large plate glass windows, with a short bulkhead located at ground level
- Glass doors with metal frames, usually painted to resemble copper or other metals



Typical Art Deco Architectural Features

Colors

The Art Deco style is known for the use of bright colors, usually pastels, with the darker color for the base. Metallic colors, such as copper, brass, and gold, were used on windows and doors.

ART/STREAMLINE MODERNE (1920s – 1940s)



Developed during the early days of the depression, the Art/Streamline Moderne style is a contrast to the Art Deco style. The style was inspired by technology and the emerging love affair America had with machines. The style is simple, and functional. It is also most famous for its commercial buildings, although houses were also designed in the style. There are numerous examples of Art/Streamline Moderne buildings within Ontario, such as milking barns located within the New Model Colony area, pictured above left, and a small number of commercial buildings within the City's original downtown area, pictured below.

Several famous landmark buildings in Southern California are excellent examples of the Art/Streamline Moderne style, including the Pan Pacific Auditorium and the Walt Disney Studios.

Common Features

- Smooth wall surfaces, usually stucco (smooth plaster finish)
- Flat roof with coping
- Horizontal grooves or lines in walls
- Curved walls and windows
- Horizontal orientation
- Windows grouped to create strong horizontal lines
- Glass block commonly used
- Large plate glass storefront windows, with a short bulkhead located at ground level
- Glass doors with metal frames



Colors

The Art / Streamline Moderne style used subdued colors. Base colors were typically light earth tones, usually off-whites or beiges. Trim Colors were typically bright or dark, to contrast the light color of the walls.



Examples of the Art/Streamline Moderne Style Taken from Ontario's Original Downtown Area

MISSION REVIVAL (1890 – 1915)

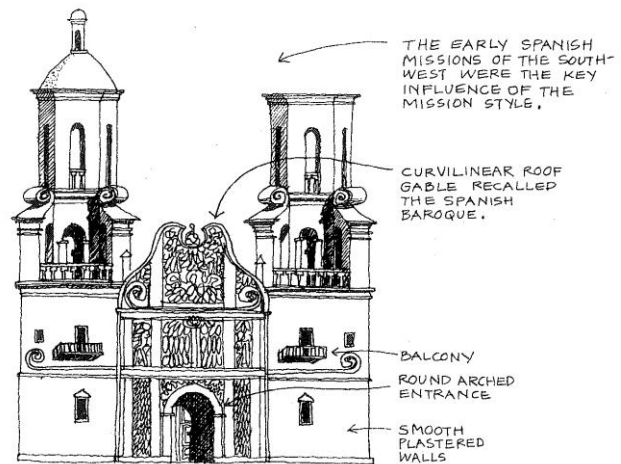


Developed earlier than the more well-known Mediterranean Revival style, the Mission Revival style became popular after several expositions and fairs that showcased the style in the mid-1890s.

Several Buildings in Ontario were built in the Mission Revival style, including the Union Pacific Railroad Station (demolished) and the stone warehouses at Guasti. However, the best examples of the style in the City are located on the Chaffey High School campus such as Gardner Springs Auditorium, pictured left, Chaffey Memorial Library, and North Hall, pictured below.

Common Features

- Ornate low-relief carvings
- Curvilinear roof gables reminiscent of the Baroque style
- Balconies on multi-story buildings
- Stucco or plaster walls
- Arcades (arched or post-and lintel)
- Towers (square or round)
- Decorated parapets
- Individual casement windows with wood frames
- On some occasions, metal window frames were used to replicate ironwork used elsewhere on the building
- Carved wood or other ornate wood doors with stained finish



Typical Mission Revival Architectural Features

Colors

Homes were typically painted white, with a second trim color. A third color was occasionally used on the window frames.



MEDITERRANEAN REVIVAL (1900s to 1930s)



The Mediterranean Revival style is a mix of various elements and influences. It incorporates features and elements from the Spanish Colonial and Moorish Architecture in Spain and Portugal, Italian architecture, as well as the California Missions. Most 1920s Mediterranean Revival buildings were influenced by rural Italian villas and could be termed as a Rural Tuscan style.



The Mediterranean Revival style is the second most prevalent style in the City, following the Craftsman style. The best example of the Mediterranean Revival style in the City is the Guasti Villa, pictured left-top, which was influenced by Italian architecture. Numerous other examples of the style can be found throughout the City's historic districts, such as the Ester Anderson House, pictured left-bottom.

Common Features

- Ornate low-relief carvings, highlighting arches, columns, window surrounds, and cornices and parapets
- Curvilinear gables
- Wing walls
- Red tile hipped roofs
- Stucco or plaster walls
- Arched or straight windows, with fancy wrought iron grilles
- Niches
- Decorative vents
- Arcades (arched or post-and lintel)
- Towers (square or round)
- Decorated parapets
- Elaborate chimney tops
- Loggias (galleries or corridors, typically at ground level)
- Extensive use of tile (both interior and exterior)
- Individual casement windows, or single-hung windows with wood frames
- Occasionally, metal window frames were used to replicate ironwork used elsewhere on the house
- Carved wood doors with stained finish.

Colors

Homes were typically painted white, with a second trim color. Occasionally, a third color was used on window frames.

PUEBLO REVIVAL (1900s - 1930s)



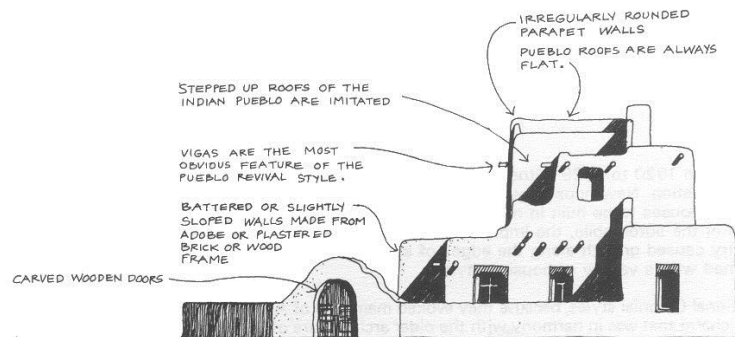
Pueblo Revival style.

Pueblo Revival, popular between 1905 and 1940, was an imitation of the earlier Indian pueblos of the Southwest. The key distinguishing elements are the projecting roof rafters called vigas. These generally round or square rafter ends protrude from the wall near the roofline. The roof of the Pueblo Revival structure is usually flat or slightly sloping, behind a low parapet. Walls are occasionally stepped or terraced. Round corners, battered walls, and straight-headed windows are also characteristic. Most structures are stucco, and are meant to imitate the adobe walls of the Indian pueblo. Some houses may combine elements of the Spanish Colonial Revival with the

There are not many Pueblo Revival style homes in Ontario. The largest concentration of Pueblo Revival style houses is located in the El Morado Court Historic District. An example of the style is pictured above.

Common Features

- flat roof
- projecting roof rafters (vigas)
- battered walls
- stepping or terracing
- Individual casement windows, or single-hung windows with wood frames
- Occasionally, metal frames are used to replicate the ironwork used elsewhere on the house
- Simple wood doors with a stained finish



Typical Pueblo Revival Architectural Features

Colors

Homes were typically painted white, with a second trim color. Occasionally a third color was used on the window frames.

SPANISH COLONIAL REVIVAL (1915 – 1930s)



The Spanish Colonial style was developed as a direct result of the Mission style. The style became popular after the 1915 San Diego Exposition, which showcased the style. Most formal designs are influenced more by Italian architecture, and most informal designs were influenced by Spanish and Portuguese architecture.

There are only a few known examples of the style in Ontario. The most significant of this style is the Paul William's designed "Old Post Office", pictured below, and located on Transit Street.

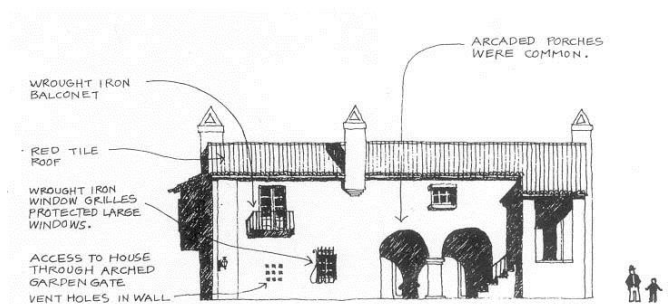
Common Features

- Stucco surfaces
- Low-pitched tile roofs
- Limited number of openings
- Opening deeply recessed into walls
- Close relation to outdoors through use of terraces
- Use of pergolas
- Formal axial garden design
- Use of decorative ironwork on windows, doors, balconies, and roof supports
- Individual casement windows, or single-hung windows with wood frames
- Occasionally, metal frames are used to replicate the ironwork used elsewhere on the house
- Simple wood doors with a stained finish



Colors

Homes were typically painted white, with a second trim color. Occasionally, a third color was used on the window frames.



Typical Spanish Colonial Revival Architectural Features

MONTEREY REVIVAL (1920s – 1940s)



The Monterey style is a cross between the adobe architecture of the California Mission period and the New England Colonial architecture prevalent in the mid-1800s. The homes are a basic New England Colonial design, with an added second floor porch, along with architectural features common to adobe architecture, such as stucco walls.

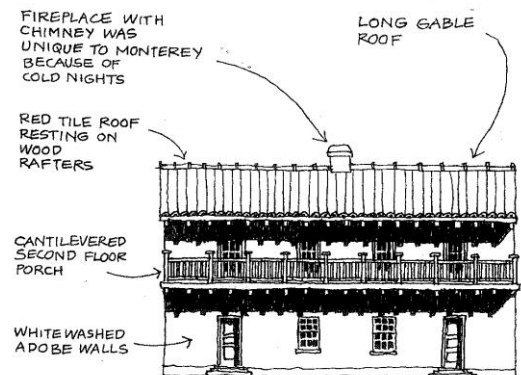
The Monterey style was not as popular as other period revival styles that were popular at the time. The Monterey style is rare in Ontario, with only a handful of examples, as pictured above and below right.

Common Features

- Wood shake or red “mission” tile roof
- Second story porch across entire front of the house, typically cantilevered
- Stucco or plaster exterior walls
- Window shutters
- Symmetrical design
- Individual single-hung windows with wood frames
- Simple wood doors with a stained finish

Colors

Homes were typically painted white or other light colors with a second trim color.



Typical Monterey Revival Architectural Features

USONIAN (1920s - 1960s)



Developed by Frank Lloyd Wright in the 1930s, The Usonian style (named after the United States) was Wright's answer to the growing popularity of the International style. The style integrated elements of the International style with Wright's principles of "Organic Architecture." The Usonian style used the flat roof simplistic styling of the international style, but incorporated elements natural to the particular site, such as stone and wood siding.

The Usonian style was not widely used in Ontario; however, use of the style could be suitable on an infill site. Of the few the Usonian style homes in City, one of the superior illustrations is the Dr. Robert Williams House, pictured above left. Another notable Usonian home is pictured right.

Common Features

- Open plan
- Large overhanging flat roofs, on occasion, low pitched gable roofs were used
- Concealed front entrances
- Board and Batten siding
- Large floor to ceiling windows
- Brick used as accent material
- Banding of windows
- Individual casement windows
- Simple, single panel doors



Colors

Homes were not typically painted except for an accent color. If the siding was left natural to weather and brick, if used, would be left exposed. Window frames and some trim would be painted a complementary accent color, such as maroon.

MINIMAL TRADITIONAL (1930s - 1950s)



The Minimal Traditional style was a transition between the revival styles of the 1920s and 30s and the post war tract homes. The style referenced traditional styles without actually achieving a specific style. Elements common to many styles, but belonging exclusively to none, are favored. These include gables, chimneys, and shutters. Houses of this style may be built of virtually any traditional material; brick and wood are common. Roofs always lack the eaves or overhangs found on styles that are more assertive. Most examples are single story or one and one-half story in height. Homes depicting this style are pictured above and below right.

Common Features

- Asymmetrical design
- Shallow to medium-pitched gable or hipped roof, usually with no eaves, and a front end-gable
- Small entry porch with simple pillars or columns
- Simple floor plan, rectangular in shape and often with small ells
- Garages may be either attached to, or detached from, the main house
- Exteriors incorporate a variety of materials, wood siding or brick were common
- Minimal exterior ornamentation, limited to decorative details on windows (typically shutters)
- Double-hung windows with multiple panes
- Simple wood doors, which may include glass panels

Colors

Homes were typically painted a light or white color with a dark accent color.



Example of the Minimal Traditional Style

CALIFORNIA RANCH (1930s – 1960s)

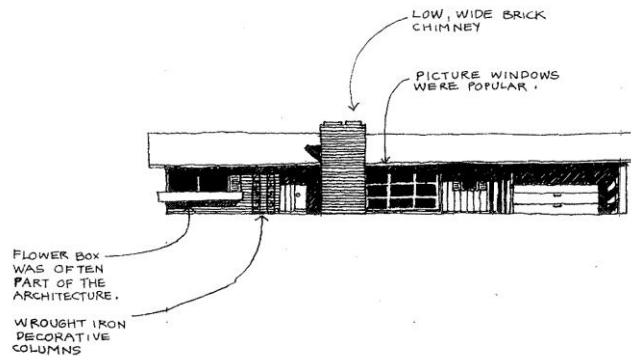


The Ranch style was created from a mix of styles, including the Craftsman, Prairie, and Minimal Traditional styles, as well as elements of the Spanish Colonial style. This mix of styles was combined with the emerging lifestyle changes of Americans after World War II.

Although not as popular in Ontario as the Early Tract homes, there are several examples of the Ranch style. One of the best examples of this style is the Rehkop House on Armsley Square, pictured above left.

Common Features

- Asymmetrical design
- Spreading, horizontal orientation
- Hip or gable roof, often with deep overhang
- Logical, open floor plan in a rectangular, L, or U-shaped configuration
- Minimal ornamentation
- Attached garage
- Minimal or no front porch stoop
- Board and batten or clapboard siding, or stucco, or a combination
- Brick chimneys
- Picture and casement windows
- Individual casement, aluminum frame windows. Sliding windows were also used.
- Plain doors painted an accent color



Typical Ranch Architectural Features

Colors

Homes were typically painted in color schemes consisting of 2 to 3 colors. Palettes were muted tones. Trim was usually a brighter color. Sometimes a third accent color was used.

EARLY POST-WAR TRACT (1940s - 1960s)



The Early Post War Tract style has its roots in the international style of architecture, which was popular in the 1940s through the 1960s. After World War II, the demand for housing was high, and developers began creating tracts of homes with similar plans and exterior elevations. This was the first time that housing was mass-produced. Ontario, like many other communities in Southern California, has many early tract homes, as pictured left and below. Many of these homes, however, have been altered over the years, and no longer retain their original appearance.

Common Features

- Stucco exterior walls
- Low pitched gable or hipped roofs
- Small porches, if any
- Front or side facing garages
- Very few exterior details
- Single story
- Aluminum sliding windows (homes built during and immediately after World War II used wood frame single-hung or casement windows), with no trim
- Single panel doors

Colors

Homes were typically painted white on the base, with a variety of trim colors.



Examples of the Early Post War Tract Style

MODERN (1930s – 1960s)



Modern architecture breaks away from cookie-cutter design and traditional aesthetics. It strives to create home designs that go beyond “standard” ideas, and instead, pursue projects inspired by layout, location and function. Frank Lloyd Wright’s mentor, Louis Sullivan, famously stated that, “Form follows function”. This idea is expressed by Modernisms’ tendency to have land or the function of a project dictate much of the design ideas. For example, Wright was famous for building with the land - his residential homes almost always relied on the lot to determine how the building was to be

laid out. Wright believed that a building should be “one with the land” and not simply plopped down on top of it. Modernist architecture takes inspiration from the project itself — if the project is meant to showcase something, house something particular, or be occupied by a particular person, Modern architecture’s aim is to design for each unique situation and to be inspired by its purpose.

Common Features

- Open floor plans
- Typically free of clutter and unnecessary elements
- Materials are shown in the natural form and are showcased
- Structural elements are revealed to show the structure and supports
- Strong linear elements and bold horizontal and vertical features
- Lines tend to be straight and angled rather than curved
- Multiple roof lines at different levels
- Often feature floor-to-ceiling windows, clerestory windows, and sliding doors
- Incorporates the topography of the land it is built on
- Focus on materials, and new technologies and building techniques

Colors

Where color was used, it was subtle; many buildings were designed to be white or neutral, with black or gray contrasting elements.



Examples of the Modern Style

INTERNATIONAL (1930s)



The International style was born from the Modern Art movement, and evolved from the Bauhaus School during the 1920s and 1930s. The style relied on pure geometric forms, with ornamentation stripped from facades to reveal the essential line and curve that defines space.

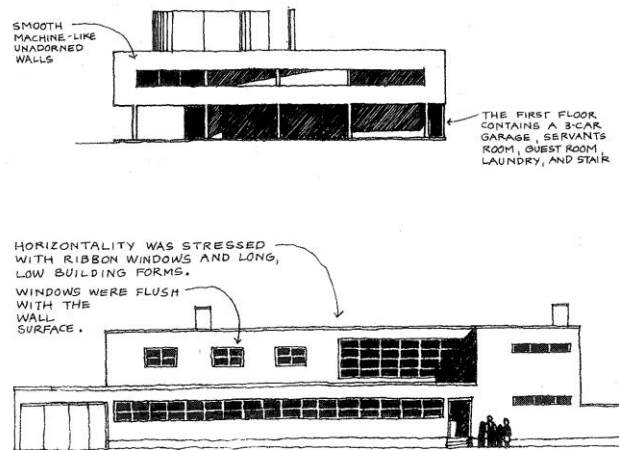
The International style is predominantly found in the commercial application of skyscrapers and office buildings, and less often in residential architecture. The Sears Tower and the John Hancock Center in Chicago, are the epitome of International design. Single-family residential homes are unusual, but not unknown. Architect Richard Neutra's home, the VDL Research house located at 2300 Silverlake Boulevard (shown above), is a prime example of the use of

International design in residential architecture.

Buildings constructed in the International style are characterized by flat, unornamented planes for roofs, walls, and windows. Composition is often asymmetrical, with interesting contrasts between flat planes and curved elements. Strong horizontal lines are apparent in the arrangement of windows and other design features. Building materials were utilitarian; concrete, glass, aluminum, and steel were commonly used. Revealing the skeleton frame construction was frequently an integral part of International design. Windows were often metal framed casements arranged in horizontal bands.

Common Features

- Utilitarian materials such as concrete, steel, and glass
- Flat roof
- Flat, smooth surfaces, and flat unadorned planes
- Use of ribbon windows, often meeting at corners
- Rounded corners
- Metal casement windows and fixed windows with a metal frame
- Simple doors, which could include glass panels
- No window or door trim



Typical International Architectural Features

Colors

Where color was used, it was subtle; many buildings were designed to be white or neutral, with black or gray contrasting elements, and a factory finish (usually anodized aluminum) on window frames.

CORPORATE INTERNATIONAL (1940S)



The Corporate International style consists of a moduled thin metal and glass skin, which is independent of the Structural elements of the building. The style was derived from the architecture of Mies Van der Rohe. Many high profile architects used the Corporate International style, including the architectural firm of SOM (Skidmore, Owings, and Merrill). The style was widely used in Southern California into the 1980s.

There are several buildings constructed in this style, and it is very compatible with large buildings constructed in the eastern part of Ontario.

Common Features

- Vertical Box form
- Form appears set above ground on stilts
- Little articulation of windows and other elements
- Horizontal layering of floors
- Repetitious cell-like character of interior spaces
- Flat roofs
- Extensive use of glass
- Metal frame windows
- No window or door trim
- Simple doors with metal frames, which could include glass panels

Colors

Buildings were typically painted white, with either a second color or no color (factory finish, usually anodized aluminum) on the window frames. Some examples of style were not painted, typically when constructed of poured-in-place concrete, prefabricated concrete panels, or glass.



Example of the Corporate International Style

GOOGIE/50s (1950s)



Often called Coffee Shop architecture, the Googie style became a dominant style for coffee shops and other restaurants. The Googie style was flamboyant and expressive, and developed out of the technological advancements of the time, including jet planes and spaceships. This futuristic style architecture is best exemplified by the buildings seen in Tomorrowland, at Disneyland. Additionally, the original Norm's restaurants, pictured left, were a classic example of this style of architecture.

Common Features

- Large roofs
- Sharp angles, and shapes
- Various material, such as exposed decorative steel beams, glass block, stainless steel, etc
- Stucco for exterior walls
- Large picture windows
- Bright colors
- Signage integrated into design of building, use of neon
- Large, single pane picture windows
- Simple wood doors with a stained finish, which could include glass

Colors

Colors varied building to building, typically because of corporate colors and signage. Colors were very bright and would have a great deal of contrast between colors.



Examples of the Googie/50s Style

BRUTALISM (1960s)



This style was originally used to describe the work of British architects that allowed all of the building elements and systems to be exposed. The concrete buildings of Le Corbusier and others eventually were classified under this style. Brutalism is in direct opposition to the Corporate International Style. Buildings are heavy and monumental, as exemplified by the Treluk Tower, in London, and the J Edgar Hoover Building (FBI Headquarters), in Washington DC, pictured below right, in contrast to the lightweight feel of the Corporate International style.

There are not any known buildings within the City that are wholly constructed in the Brutalism style; however, Ontario City Hall, pictured left, contains many elements of Brutalism, exemplified by the use of exposed concrete surfaces left in its rough state, with exposed board and form work. The style would be very compatible with the tilt-up concrete building constructed within the easterly portion of the City.

Common Features

- Variety of forms, including vertical and horizontal projections, roof forms, shapes
- Combining walls and structure into one form
- Structure predominates
- Infill walls created to join walls and structure where separate (typically brick or other materials)
- Openings introduced as holes in structure walls
- Exposed concrete surfaces
- Exposed ductwork, pipes, vents, etc.
- Fixed single-paned windows with metal frames
- Simple metal doors, sometimes with glass panels

Colors

Buildings were typically not painted. Only windows doorframes would have any color.



Examples of the Brutalism Style

NEW FORMALISM (1950s to 1970s)



New Formalism developed in the mid-1950s and continued into the early 1970s, as a reaction against the rigid formulae of the American version of the International Style. New Formalism architecture combines decorative elements and established design concepts of classicism with the new materials and technologies incorporated in the International style. Edward Durrell Stone's New Delhi American Embassy (1954), pictured above, which blended the architecture of the east with modern western concepts, is considered the start of the New Formalism style.

The New Formalism style was used primarily for high profile cultural, institutional and civic buildings. Within the Southern California region, the style was applied mainly to museums, auditoriums, and college campuses. The University of Southern California, the California Institute of Technology, and Harvey Mudd College in Claremont (pictured below, bottom), all have significant buildings of the New Formalism style. Other local examples of New Formalism include the Ahmanson Center in Los Angeles and the Ambassador Auditorium in Pasadena (pictured below, top).

Common Features

- Use of traditionally rich materials, such as travertine, marble, and granite or man-made materials that mimic their luxurious qualities
- Use of arches, columns, and other classical elements
- Buildings usually set on a podium
- Designed to achieve modern monumentality
- Embraces classical precedents, such as arches, colonnades, classical columns and entablatures
- Smooth wall surfaces
- Delicacy of details
- Formal landscape design, such as pools, fountains, and/or sculptures within a central plaza
- Fixed single-paned windows with metal frames
- Simple metal doors, sometimes with glass panels



Colors

Buildings were typically painted in a light or neutral color, also stone or other materials were left exposed. Accent colors were typically dark, rich colors.

Examples of the New Formalism Style

POSTMODERN (1970s)



Postmodern architecture is cited as an international style with examples beginning in the 1950s; however, it did not become a recognized style until the late 1970s. Postmodern architecture replaces structured modernist form and function with an eclectic blending of borrowed styles. Influential early large-scale examples of postmodern architecture are Michael Graves' Portland Building in Portland, Oregon (pictured top left), and Philip Johnson's Sony Building (originally AT&T Building) in New York City (pictured below right), which borrows elements and references from the past and reintroduces color and symbolism to architecture.

Within the City, there are not any known buildings constructed in this style; however, the style would be compatible for use in most areas of Ontario.

Common Features

- Use of features from earlier modern architectural styles, such as Art Deco and Streamline Moderne
- Use of classical columns, usually Tuscan order (or variations thereof)
- Use of arches, typically with keystone
- Circular and Lunette windows
- Prominent entrances
- Occasional use of pediments
- Deliberate placement of incompatible geometric forms
- References to aspects of historical or vernacular architecture
- Traditional and modern construction techniques juxtaposed for effect
- References to the form or detail of adjacent buildings
- Primarily rectangular windows, with circular, arched and lunette windows used at entrances and other areas to accent building
- Simple doors, which can include a variety of different shaped glass panels



Colors

Buildings were characteristically painted in bright colors. Typically, 3 to 5 colors were used.

DECONSTRUCTIVISM (1970s)



Deconstructivism takes an approach to building design that views architecture in bits and pieces. The basic architectural elements of a building are dismantled. Deconstructivist buildings may seem to have no visual logic. They appear to be made up of unrelated, disharmonious abstract forms. The Deconstructivism movement has

been led by architect Frank Gehry. His design for the Guggenheim Museum in Bilbao, Spain (pictured top-left), has become world famous. There are many examples of Deconstructivism in Southern California, since Gehry's practice is based here. One of the best examples in Southern California is the Walt Disney Concert Hall located in Downtown Los Angeles (pictured below).

Common Features

- Abstract, unrelated forms
- Smooth exterior surface
- Use of metal, typically a stainless steel or similar material, as exterior siding
- Contrast in shapes and forms
- Large expansive windows in metal frames, hidden in the abstract forms of the walls
- Glass panel doors with simple metal frames



Colors

Buildings were typically painted a variety of colors, or when metal was used, it was left exposed.

Reference C—Downtown Ontario Design Guidelines

(The Downtown Ontario Design Guidelines, adopted by the Ontario City Council on August 18, 1988, by Resolution No. 98-102, follows this page)

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Reference D—Residential Design Guidelines

Sections:

- [D.01.001](#): Purpose
- [D.01.002](#): Applicability
- [D.01.003](#): Neighborhoods
- [D.01.004](#): Single-Family Residential Development
- [D.01.005](#): Multiple-Family Residential Development

D.01.001: Purpose

- A.** The design guidelines for residential developments contained in this section are applicable to all residential zoning districts, and are intended as a reference to assist the designer in understanding the City's goals and objectives for high quality residential development. The guidelines compliment the mandatory development regulations contained in this chapter, by providing good examples of potential design solutions and by providing design interpretations of the various mandatory regulations.
- B.** Furthermore, it is the intent of these guidelines is to ensure that single-family residential developments are architecturally diverse, and appear to be neighborhoods that have evolved naturally over time, rather than master planned communities.

D.01.002: Applicability

- A.** The Residential Design Guidelines are general and may be interpreted with some flexibility in their application to specific projects. Variations may be considered for projects with special design characteristics during the City's development review process to encourage the highest level of design quality while at the same time providing the flexibility necessary to encourage creativity on the part of project designers. Nonetheless, unless there are compelling reasons or practical difficulties, these guidelines shall be observed.
- B.** Determinations of compliance with the Residential Design Guidelines shall be made by the Approving Authority.
- C.** These Residential Design Guidelines are authorized by Subsection H of Development Code Section 6.01.010, and are enforceable in the same manner, and to the same extent, as any other applicable requirement of the Ontario Development Code.

D.01.003: Neighborhoods

- A. Mix of Uses.** Neighborhoods should be designed to promote a mix of uses, including parks, religious assembly, and schools. Additionally, neighborhood commercial centers are encouraged to be integrated into neighborhood design.

B. Neighborhood Design and Orientation.

1. Neighborhoods should be oriented around community uses, such as parks, schools, and neighborhood commercial centers (see example, right).

2. Neighborhoods that are segregated from other uses, forcing residents to commute by automobile to reach services, should be avoided.

3. Neighborhoods should be distinguished from one another using edges and landmarks that are formed with trees, open space, parks, natural features, or major streets.



C. Mix of Housing Types. A mix of housing types and sizes are encouraged. Mixing multiple-family housing into single-family neighborhoods, and varying the size and dimensions of detached lots, is encouraged. Neighborhoods that have little variation in housing type and lot size should be avoided.

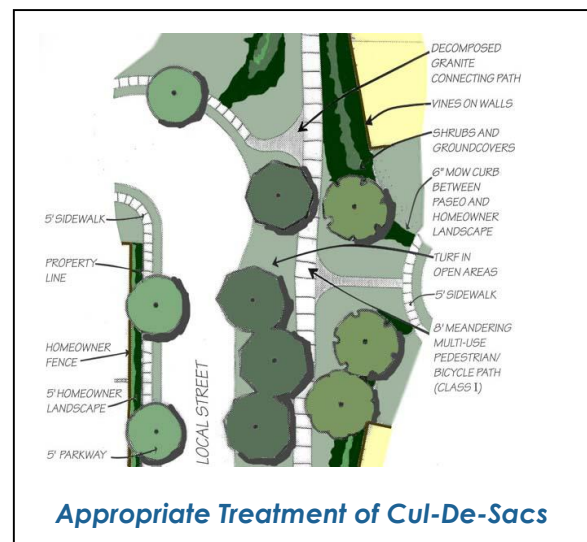
D. Encourage Outdoor Activity and the Use of Alternate Forms of Transportation. Neighborhoods should be designed to promote a sense of community, and to encourage outdoor activity and alternate forms of transportation. The use of landscaped parkways, street design, mixed uses, and building orientation and design can encourage outdoor activity and the use of alternate forms of transportation. Neighborhoods that are designed with a reliance on automobile transportation, and do not provide pedestrian linkages, are discouraged.

E. Neighborhood Connectivity. Neighborhoods should be designed to be integrated with other areas. An interconnected pattern of streets and pedestrian pathways should be provided in projects exceeding 3 acres.

1. Local streets networks should be designed to provide increased connectivity between neighborhoods.

2. The street network should be based upon a grid system, with local streets connections to arterial streets occurring at least every one-quarter mile on average. This level of connectivity should allow residences to face streets with acceptable traffic volumes and create safer walking environments where complementary land uses, such as retail and office uses, are located in close proximity.

3. The use of cul-de-sac and dead end streets should be avoided. When cul-de-sac streets are necessary, pedestrian connections should be created to allow for access to either open space or other streets (see example, right).



4. Neighborhoods should be designed to include paseos (see example, right), trails, or other connections to community facilities. Paseos should be used for pedestrian connections at terminus of cul-de-sac and dead end streets. Neighborhoods designed without connections to community facilities should be avoided.

F. Protect Natural Features. Neighborhoods should be designed to protect natural features. Natural areas can enhance a neighborhood while protecting the environment. Developments that alter or destroy natural features should be avoided.

G. Neighborhood Circulation. Streets should be designed to provide an increased sense of neighborhood and community, reduced reliance on the automobile, promote energy conservation, and a more attractive, aesthetically pleasing streetscape.

1. Reduced Width Streets. Narrow streets help reduce automobile speeds, which create a safer environment for residents. Neighborhood (local) streets should be designed for residents of the neighborhood and not as automobile thoroughfares. Large streets should be avoided.

2. Streetscape. Landscaped parkways provide a more attractive streetscape and create a buffer between automobile and pedestrian traffic.

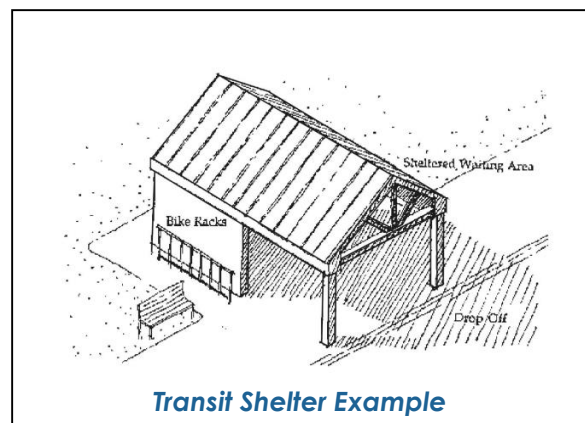
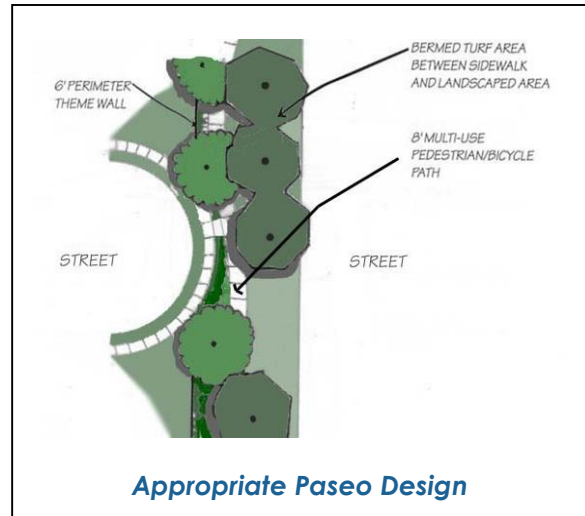
a. All neighborhood streets should be designed with landscaped parkways, which are irrigated and permanently maintained. Streets with sidewalks adjacent to the curb should be avoided.

b. Trees planted within landscaped parkways create a pleasant environment for pedestrians, and provide shade during the hot summer months. Street trees should be shade trees that are deciduous or evergreen. Trees such as palms and other non-shade trees should be avoided.

c. Alleyways should be designed with the same considerations as streets. Alleys have earned a reputation as being high crime, dirty areas. Alleys should be designed as mini-streets, generally providing the same amenities as streets, including landscaping and lighting.

H. Transit.

1. Residential neighborhoods should be designed to take advantage of mass transit opportunities. Neighborhood edges along arterial and collector streets should provide transit stops, including turnouts for bus stops. Neighborhoods without transit connections should be avoided.



2. Transit shelters should be designed to fit into a neighborhood. Transit shelters that are incorporated within the form of a building, such as under an awning or arcade, are encouraged. For freestanding shelters, the developer should explore with the transit agency and the City, possibilities for a structure that is integrated architecturally with the project through its color, materials and architectural style.

D.01.004: Single-Family Residential Development

A. Introduction. The intent of these guidelines is to ensure that single-family residential developments are architecturally diverse and appear to be neighborhoods that have evolved naturally over time rather than master planned communities. Variation in home sizes, floor plans, elevations, and lot sizes contribute to such diversity. The use of regional architecture styles, such as Craftsman, Spanish Colonial Revival, Monterey, Mission Revival, and Bungalow, are encouraged.

B. Site Planning.

1. Project Entry and Character. Project entries should incorporate special paving, architectural elements, and landscaping treatments to set the overall tone for the development's character and design. In larger projects, a hierarchy of design should be established, with smaller, but similar, secondary entry features that serve to further distinguish the character of the project.

a. Project entry features shall reflect the overall architectural identity and character of a residential subdivision or development project. Entry features should consist of authentic materials (natural rock and stone, brick, wood, ironwork, etc.). Stucco is discouraged unless true to the architectural style of the home, such as Spanish Colonial Revival, Monterey and Mission Revival architectural styles.

b. A combination of the accent features should be incorporated into project entries, such as lighting, public art, specimen trees, landscaped medians, stone wall features, water features, architectural monumentation, and signage.

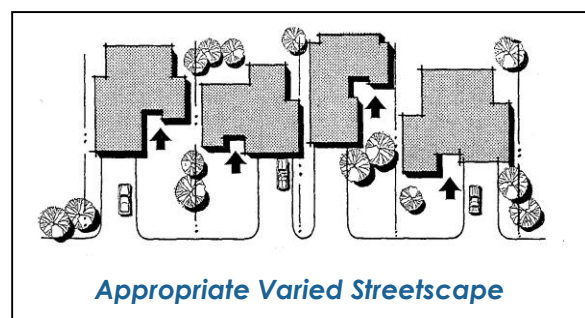
c. Colored and textured paving treatment should be integrated into vehicle and pedestrian entries of a project.

2. Lot Design.

a. Single-family lot patterns should be varied to avoid monotonous streetscapes.

b. No street should have more than 5 consecutive lots of the same width and area.

c. For projects larger than 3 acres, lot sizes should vary from the average lot size by at least 20 percent for at least one-third of all lots.



3. Circulation. Single-family residential development should have a circulation network that will efficiently interconnect all parts of the neighborhood. All modes of transportation -- vehicular, transit, bicycle, and pedestrian -- should be integrated into the circulation network.

a. Blocks within single-family residential subdivisions should be 300 to 400 FT in length, with a maximum length of 500 FT.

b. Single-family residential developments should provide vehicular, bicycle, and pedestrian connections to adjacent residential and non-residential areas.

c. Security walls and fences should not be used to define a “neighborhood edge” because they isolate neighborhoods from surrounding areas. Pedestrian access and mobility through neighborhoods is encouraged. Walls and fences may be appropriate as a “land use edge” treatment, depending on the type of adjoining use(s).

d. Where shrub planting or low walls are used for screening, allow for a clear line of sight into the area.

e. A street circulation network should provide access to all areas of the development. Dead end streets are discouraged.

f. The circulation network design shall consider the location of street trees, parkways, pedestrian scale lighting, sidewalks, and on-street parking, along with determining the appropriate relationship between street widths and building setbacks.

g. In addition to walkway lighting, peripheral lighting shall be provided for neighborhood streets to provide security.

h. Neighborhood streets should be as narrow as possible and shaded by rows of trees. These techniques slow traffic and create an environment suitable for pedestrians and bicycles.

i. Streets should be bordered with a street-adjacent minimum 5-FT wide landscape and irrigated parkway, and a minimum 5-FT wide sidewalk.

4. Building Placement. Building placement should enhance the quality of the streetscape. Neighborhood development should provide variation in lot sizes and building placement to avoid a repetitive and regimented appearance.

a. When siting homes, care should be taken to highlight view corridors of the surrounding mountains from streets and neighborhood open spaces.

b. Architectural diversity in neighborhoods should be enhanced by providing a variations in lot widths, interior and street side setbacks, and building heights at the rate of every fourth house. Additionally, to create a varied streetscape, the front setback should be staggered an additional five feet at the rate of every fourth house.

c. No two identical floor plans should be placed on adjacent lots.

d. Residents should be provided with privacy, both inside and outside their homes, by utilizing site layout techniques, such as alternating the placement of windows, rear yard outdoor patio areas, and entrances on adjacent lots. Windows on adjacent properties shall not be located directly across from one another.

e. Maximize energy conservation by considering climactic factors, such as prevailing winds, shade trees, window and door orientation, and the positioning of buildings on the site.

5. Building Orientation to the Street. Homes shall be oriented towards the street to establish a sense of belonging and community for the residents.

a. Homes and other structures shall be sited to define the street environment and the transition between public and private space.

b. Residential development on a single loaded street shall look onto the adjacent open space.

c. Lots should not be centered on "T" intersections, as noise and glare from on-coming vehicle headlights is often problematic for homes on those lots.

6. Off-Street Parking and Access. Parking lots for cluster-type single-family developments, and garages in conjunction with single-family homes, should be as invisible as possible.

a. In new subdivisions, no more than one plan-type should have a garage that extends beyond the main portion of the home. All other plan types should vary garage door placement and layout to de-emphasize the garage. Possible techniques include:

- (1)** Locate the garage at the rear of the lot, accessible from the side or rear;
- (2)** Recess the garage at least 7 FT behind the face of the main living portion of the home;
- (3)** The garage door must be architecturally compatible with the style of the house;
- (4)** Locate the garage perpendicular to the street, in a side-on configuration; and
- (5)** Provide shared driveway access.



b. Garages should be used for vehicle parking and should not be used for storage, except within areas of a garage specifically designed for storage pursuant to Subsection C (Storage) of this Section.

c. Lots with public alley access should provide parking (garages, driveways, and parking lots) access from the alley rather than from the public street.

d. The use of tandem parking bays are generally not recommended, but may be used in certain special circumstances, such as garage spaces provided in excess of the minimum parking requirement or parking for second dwellings on a driveway.

e. If parking spaces for guests are necessary, the parking facilities should be integrated into the overall project design, consisting of small lots located central to the residential units.

f. Parking lots should generally be placed behind buildings, screened from street views. Not more than one-third of any linear street frontage should be lined by parking lots. Parking lots must be setback at least 20 FT behind the front property line and must be screened by a 3-FT high decorative masonry wall and dense landscaping.

g. Driveways should be designed to minimize their visual impact on the streetscape, while at the same time providing adequate space for the maneuvering of vehicles. Not more than 25 percent of a property's frontage should be utilized for driveway openings, excepting flag lots and lots fronting a cul-de-sac bulb.

C. Storage. Adequate private storage space should be provided for each single-family dwelling, which is accessible from within the dwelling or garage, or from within rear yard areas. Usable storage space should be provided in addition to the garage parking spaces and necessary utility area. Residential storage should not be allowed on balconies, patios, or porches, or any other areas that are visible from public or private streets, alleyways, or exterior ground-floor areas of neighboring properties.

D. Building Design. These guidelines seek to promote high quality architectural designs that enhance the character of City neighborhoods. New developments should utilize architectural styles that complement one another and any nearby existing development. The architectural style and design theme of residential developments should establish a unique neighborhood identity.

1. Architectural Style. For the purpose of these guidelines, "architectural style" classifies architecture in terms of form, techniques, materials, period, and region.

a. Several common characteristics can be used to identify the existing or proposed architectural style of a building, including roof type, symmetry and shape, frame, articulation, massing, windows and doors, building materials and colors, decorative trim, and porches, eaves and columns.

2. Street Environment and Building Frontage. Single-family residential development should efficiently use the site, and relate to the street.

a. Front porches are encouraged to create an attractive interface with front yard areas. Porches should match the scale and be integral to the architectural design of the home.

b. The front entry should be the focal point of the home. Roof elements, columns, porticos, or other architectural features should be utilized.

c. Garages in single-family residential neighborhoods should be subordinate to the front of the house and should not dominate the streetscape.

d. The height, mass, and appearance of dwellings should include some variation to provide visual interest to the streetscape. The lower floor of a two-story house should use architectural accents, texture, and color to add detail and interest.

3. Building Form and Articulation. Building form and articulation includes variation in wall planes (projections and recesses) and wall height (vertical relief), as well as variations in roof forms and heights to reduce the perceived scale of the structure.

a. Single-family dwellings should incorporate articulation on all facades, including variation in massing, roof forms, and wall planes, as well as surface articulation.

b. The highest level of articulation will likely occur on the front facade and facades visible from public streets. Similar and complementary massing, materials, and details should be incorporated into every other structure elevation.

c. Elements and details of homes should be true to an established architectural style. While there is no required architectural style for single-family residential projects, the use of styles common to the region, such as Art Deco, Art/Streamline Moderne, Craftsman, Colonial Revival, French Provincial Revival, Mediterranean Revival, Mission Revival, Monterey, Prairie, and Spanish Colonial Revival, are encouraged. The primary focus should be on constructing a high-quality residential environment.

d. Wall planes on all sides of the house should be articulated if visible from a public street or pedestrian pathway.

e. Surface detailing should not serve as a substitute for well integrated and distinctive massing.

f. Architectural elements that add visual interest, scale, and character, such as recessed or projecting balconies, trellises, recessed windows, and porches, are strongly encouraged.

g. Architectural elements, such as overhangs, trellises, projections, and awnings, should be used to create shadows that contribute to a structure's character.

h. Chimneys should be featured as architectural elements rather than hidden with a wall surface. Chimney caps should be decorative and spark arrestors should be concealed.

i. Variation in mass and building height in higher density developments along streets and public right-of-ways should be incorporated by providing a mix of single-story and two-story homes. Two-story homes should have single-story elements on prominent elevations.

j. A mix of single-story and two-story homes should be included to provide an appealing streetscape with a variety of home types, height, mass, and size.

k. Massing should accentuate entries and minimize garage prominence.

l. Porches should be a minimum of 6 FT in depth (measured on the interior side of any posts or railings), with materials and details that are authentic to the architectural style of the home.

4. Building Height. Single-family dwellings should be one or two stories in height. Homes within a development should have varied heights to create visual interest in the neighborhood.

a. Corner lots should feature single-story homes.

b. Additions to structures should be designed to be compatible with adjacent structures and the surrounding neighborhood. The height and mass of additions should not adversely affect any adjacent structures.

c. The second story of a house should be designed to reduce the appearance of the overall scale of the structure, depending upon the chosen architectural style. Possible techniques include setting the second story back from the front and sides of the first story, providing larger front and/or side setbacks for the entire structure, and/or concentrate the bulk of the second story floor area over the back one-half of the first story.

d. A second story should not exceed 80 percent of the area of the first floor.

5. Roof and Upper Story Details. Visual diversity should be created by incorporating multiple rooflines and designs, while remaining consistent with the architectural style of the home.

a. A variety of roof types should be incorporated throughout the development (e.g., gabled, hipped, dormers, etc.).

b. Multiple roof forms (gable, hip and shed roof combinations) should be used to break up the massing of buildings.

c. Various roof forms and changes in roof plane should be used on all exterior elevations visible from a public street or pedestrian right-of-way.

d. Variation in ridgeline height and alignment should be utilized to create visual interest.

e. Full, sloped roofs are strongly encouraged, with both vertical and horizontal roof articulations.

f. Where applicable to the architectural style, roof overhang should extend a minimum of 12 inches, measured from the primary wall surface, to enhance shadow lines and articulation of surfaces.

g. Roof overhangs should be sized appropriately for the desired architectural style.

h. Gable ends should face the street.

i. Exposed gutters and downspouts, unless designed as an outstanding feature consistent with the overall architectural theme, should be colored to match the fascia board.

6. Building Materials and Finishes. The use of high quality materials will create a look of permanence within a project. Materials and colors should be varied to generate visual interest in the facades and to avoid the monotonous appearance that is sometimes common in some contemporary residential development projects.

a. Key elements of the building facade should be enhanced with special materials and color.

b. Material changes should occur at intersecting planes, preferably at inside corners of changing wall planes, or where architectural elements intersect (e.g., chimney, pilaster, projection, fence line, etc.).

c. Contrasting but complementary colors should be used for trim, windows, doors, and key architectural elements.

d. Roof materials and colors shall be consistent with the desired architectural style.

e. Heavier materials should be used on the lower portion of a building's elevation to form the base of the structure.

f. Paving materials should be compatible with the project aesthetic. The use of permeable paving materials is encouraged.

g. Stucco may be an appropriate building material if careful attention is paid to ensure it is appropriate to the architectural style of the house.

7. Windows, Doors and Entries. The desired architectural style of a building can be captured by carefully designing windows, doors, and entries.

a. Entrances should be enhanced through lighting, landscaping, and architecture detailing.

b. The main entrance to a home should be clearly identifiable and should be articulated with projecting or recessed forms, creating a covered landing that will provide for shelter from the weather.

c. Window type, material, shape, and proportion shall complement the architectural style of the building.

d. Windows should be located to maximize incoming daylight, reduce the need for indoor lighting, and promote energy efficiency through the use of low e-coatings.

e. In order to enhance privacy, windows on side elevations, that face a neighboring dwelling, should be staggered and should not be positioned directly opposite of the adjacent structure's windows.

f. The window design should be appropriate to the architectural style of the structure, and should be articulated with sills, trim, kickers, shutters, or awnings that are authentic to the architectural style.

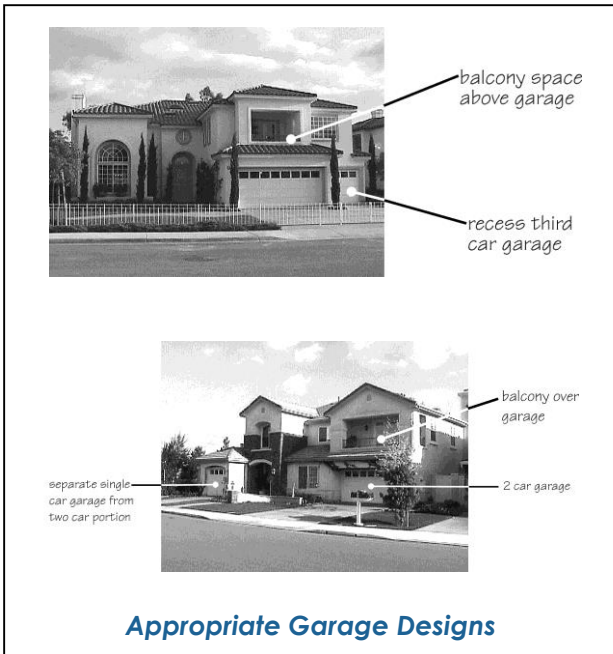
g. Where architecturally appropriate, windows should be generously inset from structure walls to create shade and shadow detail.

8. Garages. Garages that are well integrated into a project will ensure that they do not dominate front facades or the overall streetscape.

a. Garage doors should be recessed a minimum of 6 inches, measured from the face of the garage.

b. A garage with doors facing the street should be set back at least 5 feet behind the exterior face of the main house to help reduce the adverse visual impact of the garage.

c. A maximum of 2 garage bays should face the street. Garages with more than 2 bays may face the street if the garage is placed toward the rear of the site, or if a third bay is oriented differently.



Appropriate Garage Designs

d. Garage doors should incorporate panels and/or windows to articulate large planes.

e. The ratio of garage frontage to the width of the house should not be greater than 50 percent.

f. Roof forms, trellises, and balconies should be located above the garage door to help minimize the impact of garage doors on the streetscape.

9. Compatibility with Neighborhood. In new developments, single-family homes should vary from neighboring dwellings in architectural style, height, and material selection, while still relating to the overall theme of the larger development as a whole.

a. The same floor plan should not be placed side-by-side, nor should the same exterior colors be used.

b. Homes directly across the street from one another should not have the same floor plan.

E. Accessory Structures. Additions, renovations and new accessory structures should be designed to provide variety and interest while creating an overall unified image. Building facades should be designed with consideration of appropriate materials, complementary colors, and by using materials with textures and depth of materials such as brick or stone. The additions of accessory structures should be designed in a manner that is integrated with the existing structures

and avoid the appearance of being simply tacked on by the owner. This can be accomplished by:

1. Using similar roof pitches and types;
2. Using complementary or consistent materials and colors;
3. Designing additions as an integral part of the building;
4. Maintaining appropriate proportions of the existing building design; and
5. Maintain a balance between the proportions of the existing building in terms of building mass and scale. Avoid placing architectural elements that are visually more massive or heavier above elements that are visually lighter or less massive.

F. Landscaping. Landscaping should be used to define entrances to neighborhoods and homes, to provide a visual buffer between incompatible land uses, and to provide screening when necessary.

1. A variety of height, textures, and colors should be used in the landscape palette. Additionally, a combination of trees, shrubs, and ground cover should be incorporated into landscape plans.

2. Plant materials should be placed so as to not interfere with lighting or line-of-sight, or restrict access to emergency equipment (e.g., fire hydrants, fire alarm boxes, etc.).

3. Trees or large shrubs should not be planted under overhead lines or over underground infrastructure if there is a potential that growth may interfere with public utilities.

4. Large specimen trees should be strategically placed to assist new development in looking "established" as quickly as possible.

5. Trees should be properly pruned. When selecting tree species, consider tree and root growth, maintenance, nearby pedestrian activities and vehicular accesses, and potential impacts on the public right-of-way.

6. Trees and shrubs should be located and spaced to allow for mature and long-term growth.

7. Root problems caused by trees and shrubs should be minimized by careful selection and planting procedures. Root barriers should be provided for any tree placed adjacent to pavement, or other situations where roots could disrupt adjacent paving/curb surfaces.

8. Landscaping efforts should be coordinated with adjacent property owners whenever possible to provide a consistent aesthetic.

9. Parkways should be planted with shade trees to provide a pleasant pedestrian environment and contribute to streetscape continuity.

10. Individual lot landscaping should be compatible with the architectural style, size, and massing of the individual home, creating a diverse streetscape.

G. Walls and Fences. Walls and fences should be designed to complement the architecture of adjacent buildings and should be designed in concert with the surrounding landscaping.

1. The maximum height of any perimeter project and property line wall should be 6 feet. Specialty walls such as screen walls, sound walls, and retaining walls should have a maximum height dependent on necessity and location.

2. Perimeter walls and fences should be architecturally enhanced, and use materials and colors that complement the architecture of adjacent buildings. Pilasters, planter boxes, trellises, material changes, planar changes or other treatments should be used to avoid long and monotonous expanses of wall.

3. Perimeter and property line walls should incorporate design techniques such as textures, staggered setbacks, and variation in height in conjunction with landscaping, to provide visual interest and to soften the wall's appearance.

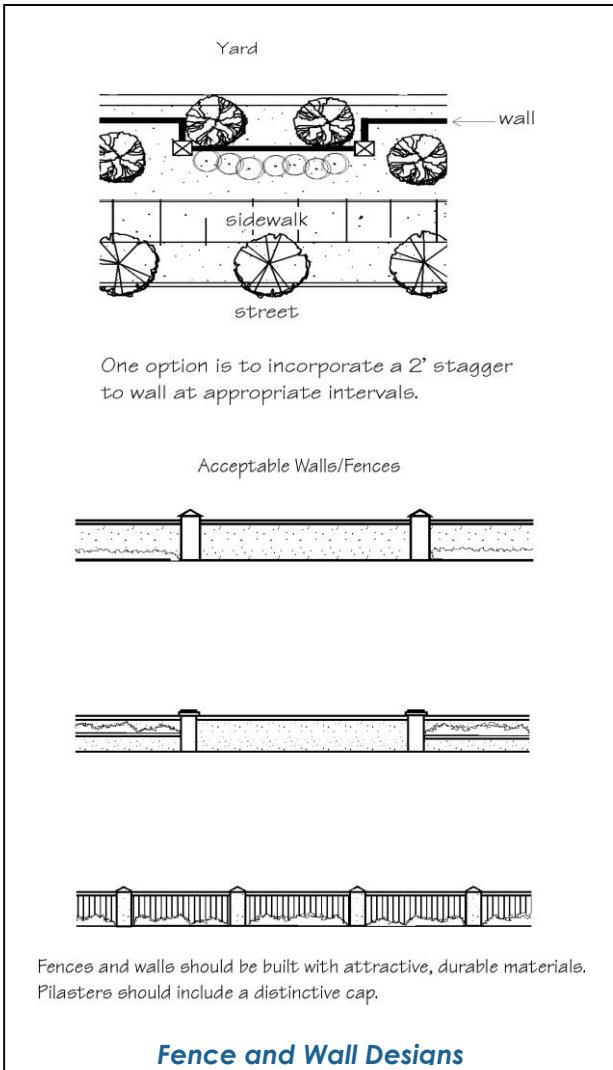
4. Walls and fences should be designed in a style, material, and color to complement the adjacent buildings.

5. Walls should be constructed as low as possible, while still performing screening, noise attenuation, and security functions, with a maximum height of 6 FT, unless additional height is required for noise attenuation or site security.

6. Walls required for screening purposes should be constructed of non-transparent materials and incorporate standards to provide for wall inserts and/or decorative columns or pilasters to provide relief.

7. Perimeter walls and fences should be architecturally treated on both sides and incorporate landscaping whenever possible.

8. Walls on sloping terrain should be stepped to follow the terrain.



Landscaping Should Be Used in Conjunction with Fences and Walls to Soften the Appearance

9. Walls should be softened using plants that camouflage their hard edges (e.g. cap, base, and ends), such as vines cascading over the top of walls and base plantings. Planting mature tall trees in front or behind a wall can effectively reduce the apparent wall height, and shrubs and vines can be used to break up the expanse of the wall body.

10. Either no front yard walls or fencing, or the use of low (3 FT high) decorative masonry walls or fencing is preferred. Walls and fencing should be constructed of authentic materials (e.g., natural woods, common brick, stone, river rock, wrought iron slump block, split-face block, or other masonry approved by the Planning Director). However, vinyl and other manufactured fencing materials may be acceptable if the overall appearance appears natural. No wire or chainlink fencing, or unfinished precision masonry block should be used.

11. Whenever possible, homes adjacent to common open space areas should have wrought iron or tube steel grillwork and view fences to provide visual access to open space.

H. Open Spaces. Single-family residential development projects should be designed with open space and community facilities as integral parts of the project. Integrated open space and public facilities foster a sense of community and create a more livable environment. Open spaces, whether public or private, serve a variety of functions, should be centrally located, and are important places for residents to gather, socialize, and play. These areas should be safe and secure, and may provide area for small intimate meetings or larger neighborhood gatherings.

- 1.** The size and scale of neighborhood amenities should be appropriately scaled.
- 2.** Open space areas should be a prominent feature of a development project. Open space areas do not consist of the unusable landscaped areas between buildings.
- 3.** Open space shall accommodate a variety of sitting areas, gathering areas, and active recreational areas.
- 4.** Open spaces and community facilities should be visible from adjacent dwellings to help promote site safety.
- 5.** Open spaces and community facilities should be easily accessible from all residential units within a development project.
- 6.** Community features such as plazas, interactive water features, and community gardens should be included whenever possible.
- 7.** Public art may be used to help create an identity and character for a neighborhood, and should be designed in context with the surrounding neighborhood and development.
- 8.** Neighborhood open spaces may be used to promote connectivity by providing pedestrian and bicycle access to adjacent neighborhoods and open spaces, and other land uses where possible.

D.01.005: Multiple-Family Residential Developments**A. Site Planning.****1. Building Orientation and Massing.**

a. Views, particularly of Mount San Antonio, Mount Baldy and the surrounding San Gabriel Mountains, existing mature trees, and any other natural amenities unique to the site should be preserved and incorporated into a multiple-family residential development project, whenever possible.

b. Clustering of multiple-family dwellings into larger buildings should be a consistent site-planning element. Large multiple-family development projects should be broken up into groups of buildings consisting of 4 to 8 dwelling units for low-medium density projects (up to 11.0 DU/Acre) and 12 to 16 dwelling units for medium density projects (up to 11.1 to 25.0 DU/Acre). High density residential projects (25.1 to 45.0 DU/Acre) should be massed in response to the scale of surrounding buildings, unless doing otherwise helps to achieve a specific neighborhood character desired for specific growth areas identified in the Policy Plan component of The Ontario Plan.

c. Buildings should be generally oriented to the street, with varying setbacks to provide visual interest and varying shadow patterns.

d. Developments should relate directly to the adjacent street, and present an attractive and interesting facade to the casual observer.

e. Buildings should be oriented to promote privacy to the greatest extent possible.

f. New development projects should respect existing development in the immediate area.

2. Circulation. Multiple-family residential development should have an efficient circulation network, connecting all modes of transportation to the project site.

a. Vehicular access onto a multiple-family project site should be through an entry drive aisle. Direct access to off-street parking spaces from a public street is not permitted.

b. All site entrances should be easily viewed from a public street and well lighted.

c. Vehicular and pedestrian site entries should incorporate enhanced pavement treatments, such as stamped concrete or interlocking pavers.

d. Unique accents, such as monuments, public art, ornamental features, enhanced paving, flowering accents, decorative walls, and specimen-sized trees should be used to generate visual interest at entries.

e. All main site entrances from public streets should have sidewalks on both sides, providing pedestrian access into the site from the public street.

f. All site entrances should be coordinated with existing or planned driveways and median openings.

g. Where possible, all multiple-family development projects should incorporate pedestrian connections to adjoining residential and commercial projects, and other compatible land uses.

h. Cross circulation between vehicles and pedestrians should be minimized. A continuous, clearly marked walkway should be provided from on-street and off-street parking areas, to the main entrances of buildings.

i. Walkways should be located to minimize the impact of pedestrians on the privacy of nearby residences or private open space. Additionally, walkways should not be constructed directly against a building or wall — landscaped planter areas should be provided between walkways and building facades or walls.

3. Off-Street Parking.

a. For low-medium and medium density projects, parking areas should be divided into a series of connected smaller parking courts. For high density projects, parking areas should be located within structure, utilizing a “podium” or “wrap” design.

b. For high density projects utilizing a parking structure, the structure shall be screened using architectural and landscape solutions. The method of screening should be compatible with the overall project architecture and landscaping themes. Visible parking structure elevations should be finished in the same style as the primary buildings, with compatible materials. This will help integrate the structure into the overall project design while reducing its visual impact.

c. Parking areas should be located within the development's interior, behind buildings, so as to be screened from street views. Parking lots located adjacent to the street, if necessary, may take-up no more than 20 percent of any linear street frontage, must be setback at least 20 FT behind the street property line, and must be screened from street views by a 3-FT high decorative masonry wall and dense landscaping. Carports and tuck-under parking should not be visible from a public street.

d. To the greatest extent possible, adverse visual impacts on the residential streetscape from parking areas, garages, and unarticulated garage doors and walls viewed through driveway openings along a project's street frontages, should be minimized.

e. Carports, detached garages, and accessory structures should be designed as an integral part of a project's architecture, and should be similar in material, color, and detail to the principal buildings of a development project.

f. Prefabricated metal carports that are unarticulated and void of architectural embellishment should not be used.

g. Parking courts should be treated as a highly visible public space, the character of which is clearly articulated by landscaping, lighting, building massing, and pedestrian and vehicular circulation.

h. Where garages are utilized, garage doors should be recessed a minimum of 6 inches, measured from the face of the garage, so as not to appear flush with the exterior wall. Furthermore, the large, flat planes created by garage doors should be articulated through the incorporation of decorative panels and/or windows.

B. Storage. Adequate private storage space should be provided for each multiple-family dwelling, which is accessible from within the dwelling or associated parking facility. Residential storage is not allowed on balconies, patios, or porches, or any other areas that are visible from public or private streets, alleyways, or exterior areas of neighboring properties. As such, Usable storage space should be provided in addition to necessary utility areas.

C. Building Design. These guidelines seek to promote high quality architectural designs that enhance the higher density residential areas of the City. New developments should utilize architectural styles that complement one another and existing development.

1. Architectural Style. For the purpose of these guidelines, "architectural style" classifies architecture in terms of form, techniques, materials, period, and region.

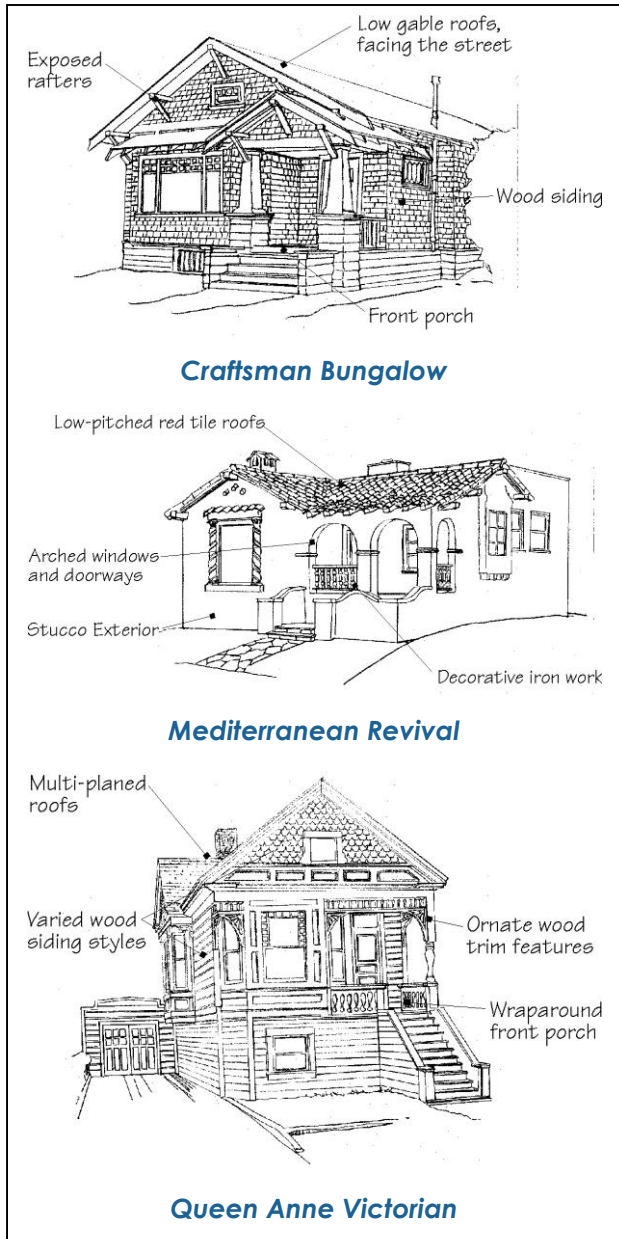
a. While there is no required architectural style for multiple-family residential projects, the use of styles common to the region, such as Art Deco, Art/Streamline Moderne, Craftsman, Colonial Revival, French Provincial Revival, Mediterranean Revival, Mission Revival, Monterey, Prairie, and Spanish Colonial Revival, are encouraged. The primary focus should be on constructing a high-quality residential environment.

b. The incorporation of architectural elements that add visual interest, scale, and character to the neighborhood, such as bays, bay windows, recessed or projecting balconies, verandas, balconies, porches, and other architectural elements, are encouraged.

2. Building Form and Articulation.

a. Low-Medium and Medium Density Projects.

(1) Building heights should be varied to give the appearance of a collection of smaller structures. Additionally, upper stories should be stepped back to reduce the



scale of facades that face the street, common space, drive aisles through the project, and adjacent residential structures.

(2) For buildings containing 3 or more attached dwellings in a row, each dwelling unit should have at least one horizontal projection of at least 2 FT, measured from the primary wall plane, which is not less than 8 feet wide. Projections should extend the full height of single-story buildings, at least one-half the height of 2-story buildings, and two-thirds the height of a 3-story building. In addition, a horizontal change in wall plane of at least 3 FT, for a minimum vertical distance of 12 FT, should be provided for every 2 units.

(3) The perceived height and bulk of multi-story buildings should be reduced by dividing the building mass into smaller scale components, and adding projecting architectural details, such as eaves, dormers, and balconies. The use of awnings, moldings, pilasters, and comparable architectural embellishments are also encouraged.

b. *High Density Projects.*

(1) A variety of stacked massing arrangements should be used to create visual interest.

(2) The mass of a building should step down at the corners and entries to provide a greater definition of the building.

(3) A minimum of 15 percent of the horizontal length of any building elevation should be articulated by varying the form or footprint, and/or by introducing architectural elements and/or horizontal projections of at least 2 FT, measured from the primary wall plane.

(4) Major building entries should be clearly discernible through the incorporation of architectural elements such as porches, arcades, ornamental lighting, landscaping, and other embellishments.

c. *All Projects, Regardless of Density.*

(1) All building elevations should be considered in the evaluation of any new construction, additions, or alterations.

(2) Side and rear views of a building should not be minimized because of their orientation away from the public right-of-way. The same or compatible design features should be continued or repeated on all elevations of a building, providing full, 360-degree architecture.

(3) Arcades, colonnades, and other types of overhead structures should be used to provide human scale to the interface between the façade and sidewalk.

(4) Building facades that enclose stairwells should include windows to reduce the visual bulk of the stairwell and enhance safety. Building facades enclosing elevator shafts should use architectural treatments to reduce visual mass.

(5) All mechanical equipment, whether mounted on the roof or the ground, should either be suitably screened or placed in locations that will not be viewed by the

general public, project residents, or occupants of neighboring properties. All screening devices must be compatible with the architecture and color of the adjacent buildings.

3. Entryways.

a. Courtyard doors or gates used at building entries should be attractively designed as an important architectural feature of the building or complex.

b. Strongly delineate the separation between public and private space with special paving, changes in building materials, grade separations, or with physical barriers, such as landscaping, fences, walls, screens, or building enclosures.

c. For low-medium and medium density projects, each dwelling unit entry should be emphasized and differentiated utilizing architectural elements, such as porches, stoops, roof canopies, and detailing.

d. Opportunities should be provided for residents to personalize their entry by providing a ground-level private area on low-medium and medium density projects, or for high density projects, increase the entry corridor width at dwelling entries to allow for the placement of potted plants.

4. Exterior Stairways.

a. Exterior (unenclosed) stairwells should not be used on buildings greater than 2 stories in height. Not more than 4 second-floor dwelling units should be served by a single flight of exterior stairs. Where appropriate for the architectural style, the stairway design should be open to allow views for natural surveillance.

b. Stairways should be constructed of durable material that is compatible with the design of the primary structure.

c. Prefabricated metal stairs are strongly discouraged but may be considered on a case-by-case basis.

5. Building Materials and Finishes.

a. A project's dwelling units, recreation and open space amenities, and parking facilities should be unified through the consistent use of building materials, textures, and colors. Exterior columns or supports for site elements, such as trellises and porches, should utilize materials and colors that are compatible with the project, as a whole.

b. Building materials should be durable, require low maintenance, and relate a sense of quality and permanence. Frequent changes in materials should be avoided.

c. Inappropriate materials for exterior applications include plastic and plastic laminate; flat asphalt shingles; corrugated fiberglass, metal or plastic; unrealistic imitation rock veneers; highly reflective materials; unfinished concrete; and unfinished metal and alloy products.

6. Roofs.

a. Roofs should clearly reflect a residential appearance. Rooflines should be articulated through the use of stepped and segmented roof sections, and the incorporation of

towers or other vertical elements to achieve varying roof heights, provide visual interest, and accent a predominant horizontal massing.

b. Full hipped or gabled roofs covering the entire building are preferred over mansard roofs and segments of pitched roofs applied at the building's edge.

c. Garage and carport roofs visible from buildings or streets should incorporate pitched roofs and roof materials matching adjacent buildings. Flat garage and carport roofs should not be used.

7. Color and Materials.

a. Color is an important element in establishing a structure's character and architectural style. The predominant color of the building and accessory structures shall be a muted, non-garish tone.

b. Color may be used as an important accent in a project's appearance. More than one predominant paint color is encouraged. Compatible accent colors should be used to enhance important architectural elements and details.

c. Bright or intense colors should be used very sparingly, and should typically be reserved for more refined or delicate detail work.

d. Employ high quality materials that are durable, long lasting, and aesthetically appealing.

e. Materials such as brick and stone should be left in their natural colors.

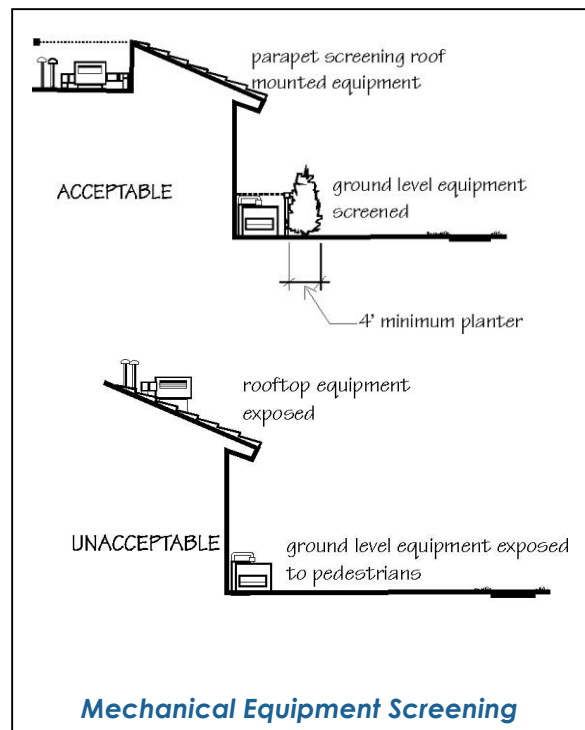
f. The use of complementary colors and changes in materials can add visual interest to a building; however, to avoid a false appearance, texture or color changes should not occur at external corners.

D. Mechanical Equipment. Mechanical equipment should be integrated as part of a project's site and building design. The following conditions apply to mechanical equipment:

1. Rooftop and ground-mounted equipment should be screened from view of elevated highways, streets, parking lots, connecting walkways and freeways.

2. Roof-top equipment (including satellite dishes) should be integrated into the overall mass of a building by screening it behind parapets or by recessing equipment into hips, gables, parapets or similar features; plain boxes are not acceptable.

3. Screening details should incorporate capping elements and the same



exterior trim details as found elsewhere in the project.

4. The top of screens should be at least as high as the top of the equipment, yet the screen walls shall be generally kept as low as possible. Cross-section drawings shall be prepared to illustrate the method in which the equipment will be screened from view of adjacent streets, freeways and properties.

5. Transformers, heating units and other ground-mounted equipment should be adequately screened with walls and landscaping. Design these features to be graffiti and vandal-resistant by providing a 2-FT landscape strip at the base of these walls for tall shrubs, and by using materials that are easily cleaned or painted. Additional area for future ground-mounted equipment and screening needs should be considered and set aside. Avoid interrupting connecting walkways with these features.

6. Antennas should be placed in attics or building interiors. New units should be pre-wired to accommodate cable reception. Satellite dish antennas should be ground mounted and screened from public view on all sides with a combination of walls, landscaping or buildings.

E. Site Lighting. The form and quality of on-site lighting should establish an attractive, distinctive, and safe nighttime environment. Furthermore, lighting should not create an unwanted nuisance for neighboring residential areas, or for other sensitive uses.

1. Site lighting intensities must conform to the minimums established by the City's security standards contained in OMC Title 4 (Public Safety), Chapter 11 (Security Standards for Buildings), commencing with Section 4-11.01.

2. Lighting within parking areas should be arranged to provide safety and security for residents and visitors, but prevent direct glare of illumination onto adjacent dwellings and neighboring properties.

3. Pedestrian-scaled lighting should be located along all pedestrian routes of travel. Pedestrian pathways should be lighted by pole or bollard-type fixtures, not to exceed 12 FT or 3 FT, respectively.

F. Landscaping. Landscaping for multiple-family development projects can be used to define and accent specific areas (e.g., building entrances, parking lots, etc.), define the edges of various land uses, provide a transition between neighboring properties (buffering), and screen storage areas. Landscaping may be used as a unifying element within a project and with surrounding projects.

1. Landscaped areas shall generally incorporate plantings utilizing a layered, 3-tier design consisting of: **[i]** grasses and ground covers, **[ii]** shrubs and vines, and **[iii]** trees.

2. New landscaping shall complement existing landscape materials, location, and massing on adjacent established developments where appropriate.

3. The following planting design concepts are encouraged within each project:

a. Specimen trees in informal groupings throughout the site, or formal groupings at major focal points;

b. Use of plantings to create shadow and pattern against walls;

- c. Use of planting to soften building lines and emphasize the positive features of the site;
 - d. Use of flowering vines on walls, arbors, or trellises;
 - e. Trees to create canopy and shade, especially in parking areas and passive open space areas; and
 - f. Berms, plantings, and walls to screen parking lots, trash enclosures, storage areas, and utility boxes.

4. Landscaping shall be protected from vehicular and pedestrian encroachment by raised planting surfaces and the use of curbs.

5. Concrete step areas shall be provided in landscape planters adjacent to parking spaces.

6. Vines and climbing plants on powder coated metal trellises and perimeter walls are encouraged.

7. Gravel, bark, decomposed granite, artificial turf, and other similar materials are not allowed as a substitute for plant materials.

8. Landscaping shall emphasize water efficient plants.

9. Vehicular entries provide a good opportunity to introduce and identify multiple-family projects. Vehicular entry areas should be treated with special landscape elements that will help establish an individual identity to the project (e.g., special paving, graphic signage, specialty lighting, specimen trees, flowering plants, etc.).

G. Walls and Fences. Walls and fences may be used to provide security and privacy, or screen unsightly views, and may be utilized with landscaping to enhance and/or buffer the appearance of development. The following guidelines apply to walls and fences used in multiple-family residential development projects.

1. The maximum height of perimeter project and property line wall should be 6 feet. Specialty walls such as screen walls, sound walls, and retaining walls should have a maximum height dependent on necessity and location.

2. The design of walls and fences, as well as the materials used, must be consistent with the development's overall architectural theme. Fence and wall color should be compatible with the development and adjacent properties. Paint color used on fences should be common colors readily purchased and kept readily available on the development's premises.

3. Perimeter walls and fences should be architecturally enhanced, and use materials and colors that complement the architecture of adjacent buildings. Pilasters, planter boxes, trellises, material changes, planar changes or other treatments should be used to avoid long and monotonous expanses of wall.

4. Perimeter walls and fences should be architecturally treated on both the interior and exterior sides of the wall.

5. Walls on sloping terrain should be stepped to follow the terrain.
 6. Walls should be softened using plants that camouflage their hard edges (e.g. cap, base, and ends), such as vines cascading over the top of walls and base plantings. Planting mature tall trees in front or behind a wall can effectively reduce the apparent wall height, and shrubs and vines can be used to break up the expanse of the wall body.
 7. Visually penetrable materials (e.g., decorative wrought iron or tubular steel) should be used in areas of high activity, such as pool and playground areas, and areas adjacent to street frontages.
 8. Wall and fence designs, and the selection of materials, shall consider maintenance issues, especially graffiti removal and long-term maintenance. Decorative capstones are required on walls to help prevent water damage from rainfall and moisture, and provide a finished appearance.
 9. Perimeter walls and fences should incorporate textural changes, staggered setbacks, and variations in height, in conjunction with landscaping, to provide visual interest and to soften the wall's appearance.
 10. The height of screen walls and sound walls is determined by site features and location, such as proximity to noise generators and privacy issues.
 11. The proportion, scale, and form of the walls should be consistent with the design of adjacent buildings.
 12. The colors, materials and appearance of walls and fences should complement the architecture of adjacent buildings. Fencing located where screening is not specifically required should be of decorative iron or tube steel.
- H. Open Spaces.** Multiple-family development projects should provide its residents access to useable open space and recreation amenities, such as gardens, courtyards, natural areas, and active recreation areas.
1. Outdoor seating, tables with umbrellas, water features, landscaping, gazebos, or other place-making features are encouraged within open space areas, and should be consistent with the architectural style of the project. Open space features should cater to anticipated residents (e.g., play lots for children, seating areas for the elderly, etc.).
 2. All support buildings within multiple-family residential projects (e.g., laundry facilities, recreation buildings, sales/lease offices, etc.) should be compatible in architectural design with the balance of the project.
 3. Open space areas should be sheltered from the noise generated by traffic on adjacent streets, or other incompatible land uses.
 4. Buildings should be oriented to create courtyards and open space areas; thus, increasing the aesthetic appeal. Community features, such as plazas, interactive water features, and community gardens, should be included whenever possible.

5. Common open space areas and recreation amenities should be conveniently located for the majority of units, and should be linked to streets via connecting walkways at least 12 FT in width.

6. Open space should be designed to integrate buildings and other structures.

a. At least 75 percent of common open space areas should be bordered by building walls with windows, architectural elements such as low walls or trellises, landscape features such as hedges or rows of trees, or by some combination of these elements.

b. Common open spaces bordered by a parking lot or driveway should be minimized or discouraged. If a parking lot or driveway must border an open space area, the portion of parking lot or driveway adjacent to the open space should be of decorative pavers, or the parking lot or driveway should be screened by a 3-FT high decorative wall.

7. Open space areas should take advantage of prevailing breezes and orientation of the sun to provide natural lighting and ventilation.

8. Common open space areas and recreation amenities should be screened from public view and located contiguous to the units they serve.

9. Children's play areas should be visible from as many dwelling units as possible.

10. In large developments, separate, but not necessarily segregated, play areas and informal outdoor spaces should be provided for differing age groups for reasons of safety. Small developments may combine play areas, such as tot lots joined with a larger activity area for older children.

11. Mailboxes should be located in highly visible and heavily use areas to promote safety and convenience, and casual social interaction.

I. Pathways. Connecting pedestrian pathways providing a convenient pedestrian route between all entries and the street should be provided.

1. Walkways and trails should be between 5 FT and 8 FT in width, accompanied by a landscaped strip at least 4 FT in width.

2. Walkways should consist of decorative pavers, or scored or stamped concrete. Trails should be of a permeable, easy to maintain material, such as compacted decomposed granite.

3. Where a walkway is oversized to accommodate occasional emergency vehicles, landscaping, Grasscrete or turf-block, and other materials should be used to accommodate traveling widths that exceed 8 FT.

Reference E—Commercial Design Guidelines

Sections:

- [E.01.001](#): Purpose
- [E.01.002](#): Applicability
- [E.01.003](#): Open Space and Landscaping
- [E.01.004](#): Site Design
- [E.01.005](#): Building Design
- [E.01.006](#): Architectural Details

E.01.001: Purpose

These Commercial Design Guidelines are intended as a reference to assist the designer in understanding the City's goals and objectives for commercial development, and to:

- A.** Encourage office and commercial development that is convenient and attractive, and enhances surrounding neighborhoods, the downtown area and the City as a whole;
- B.** Provide for both convenient motor vehicle access and safe pedestrian access, recognizing that some commercial-bound trips may be on foot for some uses; and
- C.** Compliment the mandatory commercial development regulations established by Development Code Section 6.01.015 (Commercial Zoning Districts) by providing examples of potential design solutions, and by providing design interpretations of the various mandatory regulations.

E.01.002: Applicability

- A.** The Commercial Design Guidelines are general and may be interpreted with some flexibility in their application to specific projects. Variations may be considered for projects with special design characteristics during the City's development review process to encourage the highest level of design quality while at the same time providing the flexibility necessary to encourage creativity on the part of project designers. Nonetheless, unless there are compelling reasons or practical difficulties, these guidelines shall be observed.
- B.** Determinations of compliance with the Commercial Design Guidelines shall be made by the Approving Authority.
- C.** These Commercial Design Guidelines are authorized by Subsection F of Development Code Section 6.01.015, and are enforceable in the same manner, and to the same extent, as any other applicable requirement of the Ontario Development Code.

E.01.003: Open Space and Landscaping

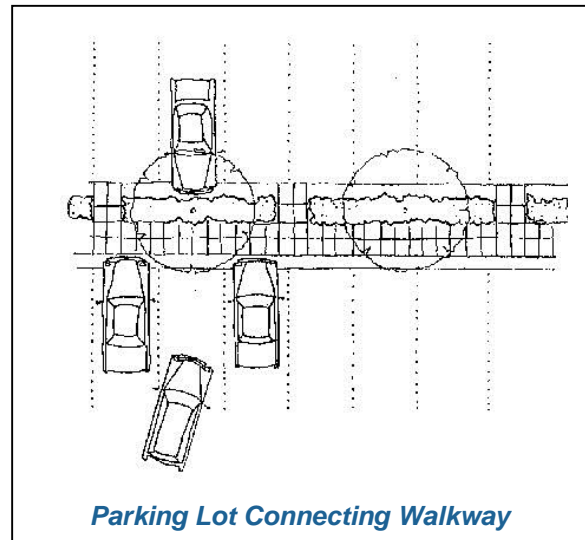
A. Site Accessories.

1. Site design features, such as recycling bins, bike racks, litter cans, planters, benches and transit shelters, should be attractive.
2. Materials should and have an architectural character consistent with the overall project.
3. Design features should be graffiti and vandal resistant by using materials that are easily cleaned or painted.

B. Connecting Walkways. Walkways should connect major building entries with the public sidewalk along the street.

1. Where possible, connecting walkways should follow an alignment that connects building entries, and should be at least 8 FT in width.

2. Where connecting walkways pass through parking lots, they should be at least 5 FT in width (excluding car overhangs), and should be accompanied by a minimum 5-FT wide landscape buffer, with trees planted at least every 30 FT on-center. Walkways should consist of special pavers or scored concrete, with modules that should not exceed 3 FT in width.



3. Where a walkway is oversized to accommodate occasional emergency vehicles, landscaping, Grasscrete, and other similar features, should be used to give the walkway a more appropriate scale.
4. Pedestrian walkways should avoid excessively meandering alignments.

C. Off-Site Connections.

1. Where complementary land uses are close (e.g. residential & employment), and conditions make it feasible, vehicular connections and pedestrian paths to neighborhood-serving retail are encouraged.
2. Pedestrian paths should be well lighted and have entries or windows facing them. For additional security, they may be gated at certain hours, and designed to accommodate emergency vehicles (while discouraging other vehicles).

D. Plazas. Plazas are encouraged as a site amenity and design detail.

1. Retail centers over 10,000 SF in area should provide at least one SF of plaza area for each 100 SF of GFA, and Employment uses with more than 20 employees should provide at least 10 SF of outdoor plaza area for each employee. The area of a plaza should be calculated separately from areas devoted to connecting walkways.

2. Plazas should be at least 10 FT in width and include decorative paving. If accompanied by a building entry, plazas may occur within front or street side setback areas; however, trellises and other structures are not allowed in the setback areas.

3. Outdoor seating, tables and umbrellas, water features, landscaping, gazebos, or other "making" features are encouraged in plazas and should be consistent with the architectural style of the project. Shaded areas should be provided.

4. Plazas are encouraged where high-levels of pedestrian-activity are expected, such as adjacent to major entrances and food services (e.g., bakeries, delis, and restaurants).

5. Building entries and windows should look onto plazas to enhance activity and security.

E. Views. Scenic views can enhance the design of a space. Site circulation and plazas can be used to draw attention to distinctive features (e.g. entrances, fountains, plantings, the San Gabriel Mountains, etc.).

F. Landscaping. Landscaped areas should include a mixture of evergreen and deciduous trees, shrubs, vines and groundcover to provide year-round interest.

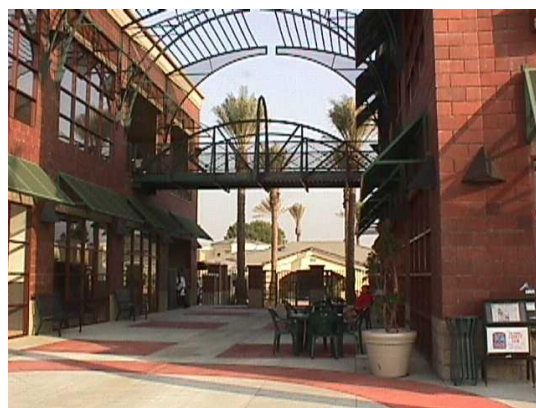
1. Use evergreen trees to block winter winds and screen unsightly features.

2. Provide special landscaping treatment, such as intensifying density (size and/or number) of trees, accent trees, and decorative paving at pedestrian and motor vehicle site entries, and building entries.

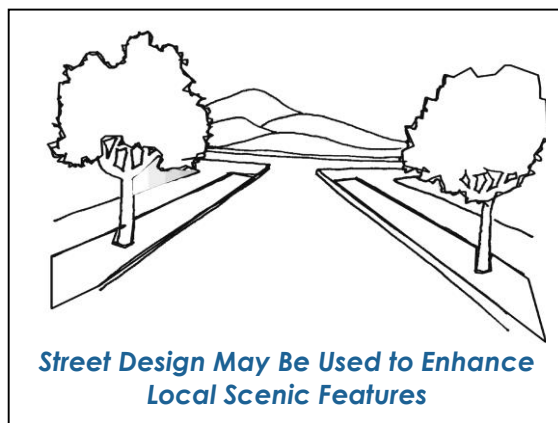
3. Provide shade/canopy trees within parking areas.



External Retail Plaza



Internal Retail Plaza



Street Design May Be Used to Enhance Local Scenic Features

4. Use plants to define outdoor spaces such as edges, outdoor plazas, or movement paths between parking and building entrances.

5. Plant trees to provide a continuity of form throughout the project.

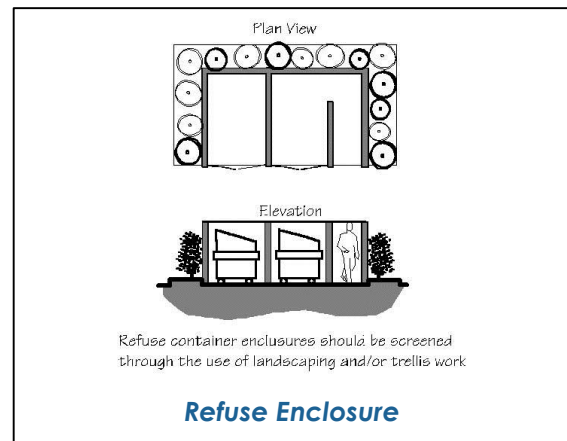
6. Provide a minimum 5-FT wide landscaped planter adjacent to buildings, walls, and fences.

G. Refuse Enclosures and Equipment.

1. Refuse enclosures and equipment should be integrated into the design of a project, and should be easily accessible by service vehicles.

2. Locate refuse enclosures and equipment within a building's facade or within a screened enclosure.

3. The design of refuse enclosures should reflect the architectural style of adjacent buildings, and should incorporate similar high quality materials. Landscaping or trelliswork is encouraged where screened enclosures are visible from a street or connecting walkway, and must be permanently maintained.



H. **Outdoor Storage Areas.** Outdoor storage areas should be incorporated into the design of a project to avoid adverse visual impacts to the site.

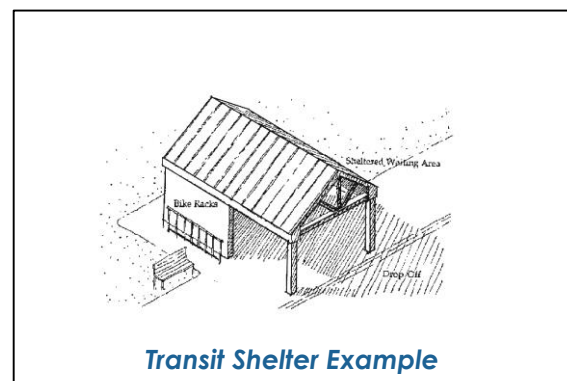
1. Locate outdoor storage areas away from the street, behind or to the side of buildings.

2. Materials stored outdoors must be screened from public view by a decorative masonry block wall.

I. **Transit Shelters.** Transit shelters should be incorporated into the design of commercial project.

1. Where a transit stop is planned adjacent to a project that is at least 5 acres, the developer should coordinate with the transit district to determine a location for an on-site transit shelter.

2. Transit shelters that are incorporated within the form of a building (e.g. under an awning or arcade) are encouraged. For freestanding shelters, the developer should explore with the transit agency and the City, possibilities for a structure that is integrated architecturally with the project through its color, materials, and architectural style.

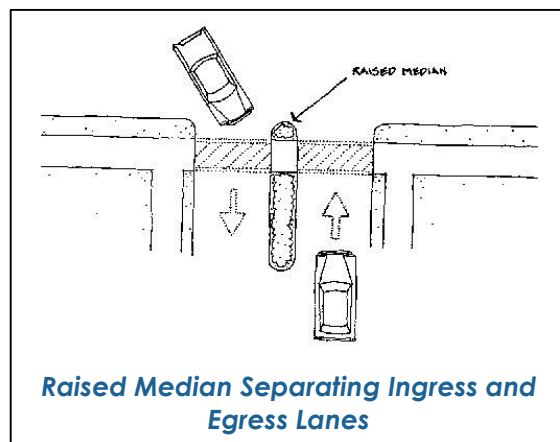


J. Driveways and Sidewalks. Driveways should be designed to minimize impacts to pedestrians.

1. Minimize pedestrian crossing distances at driveways.

2. Ideally, a raised median should be used to separate ingress and egress lanes, and to provide a pedestrian island, especially where there are 3 or more lanes.

3. Pedestrian crossings should be defined through the use of decorative pavers, scored concrete, or equivalent treatments.



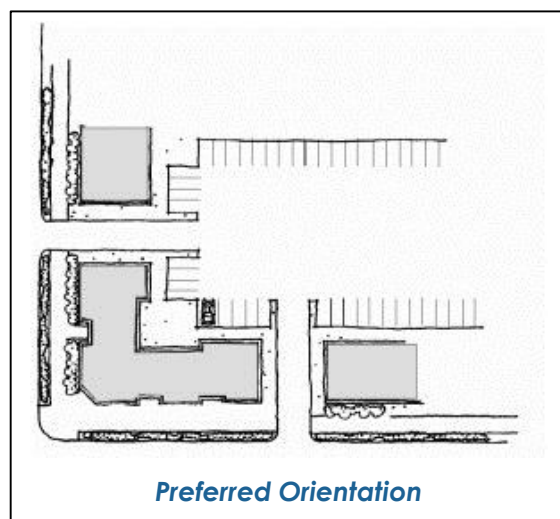
E.01.004: Site Design

A. Basic Orientation. Generally, commercial development should front onto public streets, incorporating building entries, windows (including display windows), and landscaping, except under the following circumstances:

1. Where parking lots and driveways front the street and conform with guidelines contained within “street frontage and parking lots”;

2. Where the use is auto-serving or service commercial, and conforms with specific exceptions; or

3. Where the use occurs within CS zoning district, pre-existing loading and drop-off areas in the front of a building should be allowed.



B. Entry Locations. All primary entries should face onto a street or a connecting walkway.

1. Entries that do not front directly onto a street should be connected to a street and the surrounding neighborhood via a landscaped connecting walkway.

2. Street side entrances to stores with large floor areas (exceeding 10,000 SF) are often difficult to achieve. Pedestrian access to these stores can be enhanced by:

a. Providing an entry at or near the street, which may be in addition to an entry relating directly to parking;

b. Locating small shops along connecting walkways linking anchor stores to the street;

c. Placing outdoor retail areas along the street (e.g. garden centers and outdoor seating for anchor store delis); or

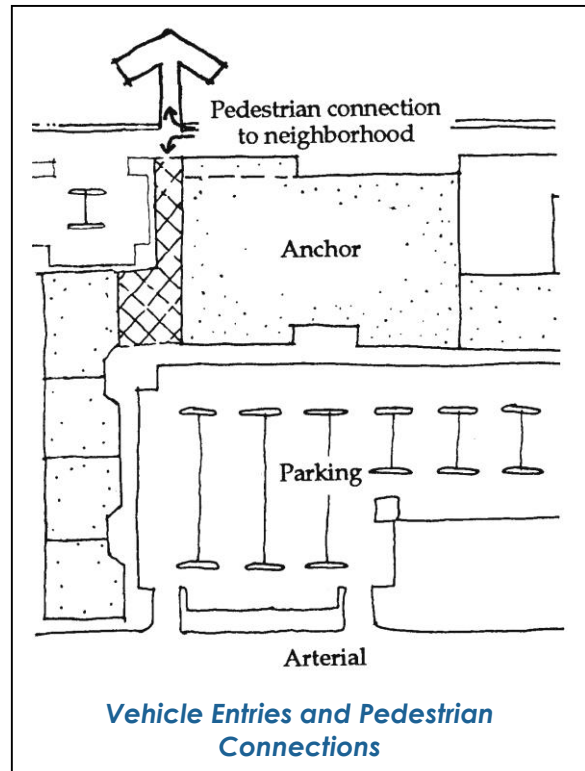
d. Constructing landscaped connecting walkways through parking lots to provide a direct connection to the street.

C. Street Frontage and Buildings. Where a building fronts onto a street, 50 percent of the building's linear street side frontage should consist of an entrance, window, or display window.

1. Street side buildings should not be more than 100 FT long, without a pedestrian plaza or walkway connecting the parking lot with the street.

2. On corner lots, buildings should mark the corner with added height, major entry, or other notable architectural feature(s).

3. Auto-serving and service commercial uses permitted in the CN and CC zoning districts need not conform to the above-listed street frontage requirements.



D. Street Side Setbacks and Buildings. Where a front or street side setback is required, buildings that front onto the street should meet one of the following conditions:

1. The setback should be landscaped with dense, permanently maintained vegetation, reaching a height of at least 1.5 FT, except where walkways lead to building entries; or

2. The setback area may be paved with decorative pavers or scored concrete (3 FT by 3 FT maximum module size) if building entries occur at least every 25 FT, or a continuous arcade or trellis is provided.

E. Street Frontage and Parking Lots. Parking lots should generally be placed away from the street, preferably to the rear or interior side of buildings.

1. In no case should street frontages consist of uninterrupted parking lots. Where parking lots occur along street frontages, a landscaped buffer should be provided to minimize views of parked cars from the street.

2. Within landscaped buffers, trees should be planted at a minimum spacing of 30 FT on center, within 5 FT of the street property line. In addition, the landscape buffer should include a decorative screening feature that is 2.5 FT to 3 FT in height, such as a combination of walls and hedges.

F. Facades Facing Parking Lots. Facades facing parking lots should be designed as a building focal point.

1. Where buildings face the street with parking behind, the facade facing the parking lot should contain at least three of the following features:

- a. Upper-story uses with windows overlooking the parking lot;
- b. Secondary entrances to ground-floor or upper-story uses;
- c. Windows (including display windows) occupying at least 60 percent of the building's length, with at least 50 percent of the window being transparent;
- d. A minimum 4-FT horizontal change in the building plane for each 50 FT in building plane length;
- e. A trellis or arcade that is at least 5 FT deep (clear and unobstructed); or
- f. A 5-FT wide landscaped strip containing trees, shrubs, and ground cover.

G. Infill within Existing Development.

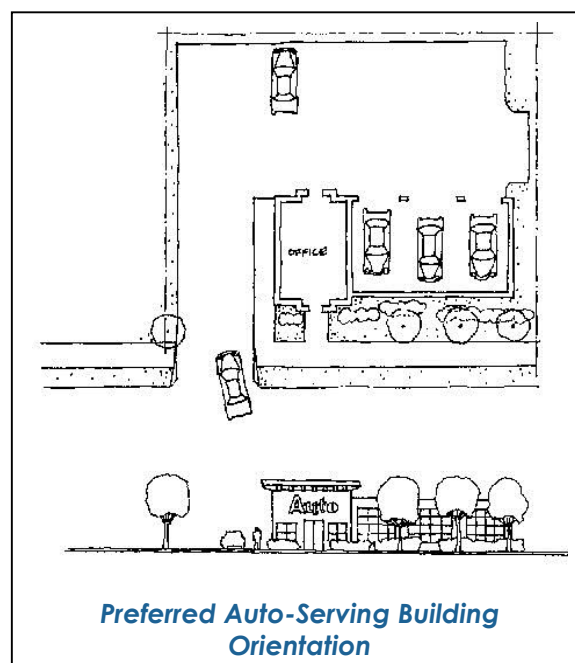
1. Within existing projects, new buildings are encouraged to reinforce streets as walkable, civic environments, and to establish pleasant and convenient pedestrian pathways between streets and existing storefronts.

2. The architectural style of new buildings should complement the existing center or be the basis for future remodeling for the existing center.

H. Auto-Serving and Service Commercial Uses. Entries and windows for auto-serving and service commercial uses need not front onto streets; however, entries should be linked to the street via a connecting walkway.

1. Avoid facing auto service bays, loading areas, and blank walls toward the street; orient these features to the side or rear, while presenting windows, entries and landscaping to the street. Trees and other landscaping should be used to further screen these features when viewed from the street.

2. When possible, place auto-serving and service commercial near the street, including gas stations, auto service establishments, or other buildings with a floor area under 10,000 SF, or a lot coverage under 25 percent, whichever is less. At least 25 percent of the linear street frontage should contain windows, excluding clerestory and glass block, to enhance the street's security and appearance.



3. Fast food restaurant building entrances should face the street with parking located to the side and rear of the building. Where the size of a parcel may be constraining, one bay of parking may be allowed in front.

I. Fence and Wall Design.

1. Fences and walls should be built with attractive, durable materials, including, but not limited to, wrought iron, decorative masonry block, or tilt-up concrete. The use of chainlink fencing, corrugated metal fencing, and tennis court screening material, is not permitted. Fences or walls should be consistent with materials and designs used throughout the project.

2. All fences and walls should have a distinctive cap of varying width, material, or texture, within the top 8 inches. Walls should not exceed a height of 6 FT without being made of textured concrete block, interlocking “diamond” blocks, tilt-up or poured-in-place concrete, or other similar materials.

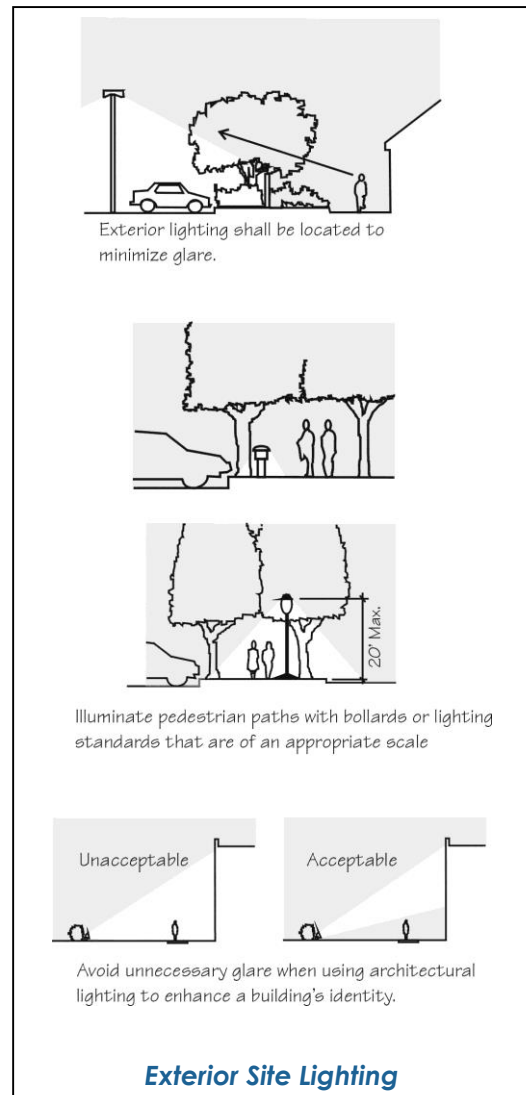
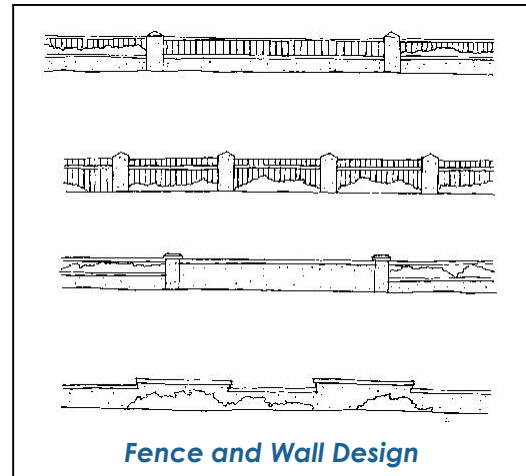
3. At the street, avoid long expanses of uninterrupted fences and walls. Use an opening, planter box, material change, pilaster or post, or a 3-FT horizontal change every 50 to 75 FT in length.

4. Provide an opening in fences and walls to connect walkways directly to the street, and avoid circuitous routes for pedestrians. Pedestrian gateways should be announced by pilasters, trellis, special landscaping, or other special features.

J. Fences and Walls Adjacent to Residences. Where a side or rear property line of a commercial site is common with a residential zoning district, an 8-FT high decorative masonry block wall is required to be constructed at the common property line.

K. Exterior Site Lighting. Exterior lighting standards should be located and designed to minimize direct glare beyond the parking lot or service area.

1. On-site light standards under 15 FT in height (including lighting bollards) should illuminate street adjacent sidewalks and connecting walkways, and are encouraged throughout a project. Taller standards, while generally discouraged, may be used only if:



a. Reflectors direct light only toward the center of parking areas and at least 60 FT from a residential property; and

b. Trees are planted along streets and property lines at a spacing of not more than 30 FT on center.

2. All lighting poles and fixtures should be consistent with the overall architectural style of the project. At a minimum, all light poles should have an attractive base and top. The use of “cobrahead” standards are not permitted.

3. Buildings and landscaping can be illuminated indirectly to create a strong positive image. Concealing light features within buildings and landscaping can highlight attractive features and avoid intrusion into neighboring properties. Thoughtful use of lighting is especially encouraged at entries, plazas, and other areas where evening activity is expected.

E.01.005: Building Design

A. Entry Design. Gables, awnings, sign locations or other features should clearly express the location of doorways. Greater attention should be given to materials and detailing adjacent to entries.

B. Arcades and Awnings. Outdoor arcades are encouraged to protect pedestrians from summer heat and winter rain.

1. Where an arcade is not provided, a separate awning or other architectural feature should be used for each business, to enhance the individual identity of small shops.

2. Because they can quickly deteriorate, the use of canvas awnings is discouraged, unless regularly maintained.

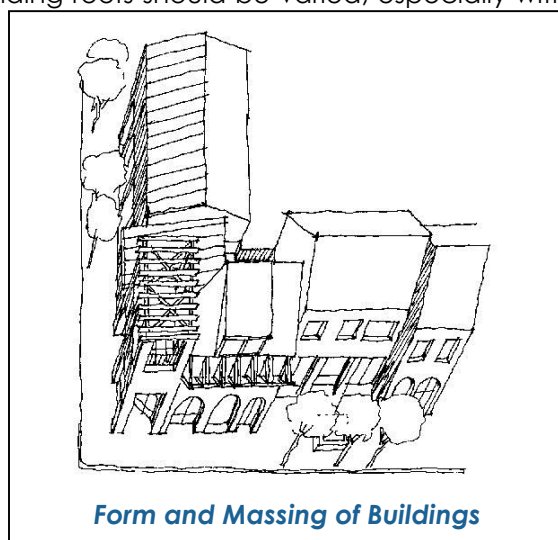
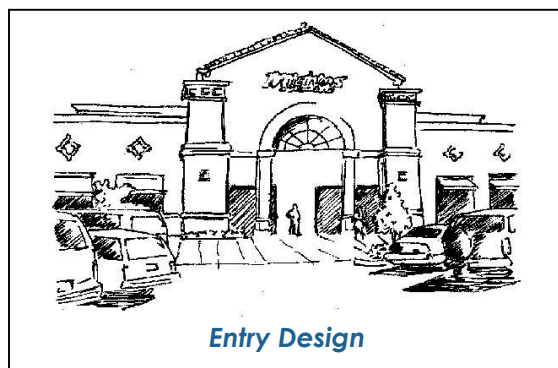
C. Form and Massing. The mass and form of building roofs should be varied, especially with larger projects.

1. Varying building heights may be used to communicate different uses or shops.

2. Bay windows and stepped buildings also create added visual interest and relate directly to the pedestrian environment.

3. Furthermore, an arcade may be used to connect varied masses, and provide a more comfortable experience along pedestrian routes.

4. The use of tower elements and other similar features are encouraged at focal points,



such as plazas, major entrances, or where walkways meet streets.

D. Upper-Story Uses. Upper-story uses with bay windows and balconies are encouraged to provide informal surveillance, and create a pleasant sense of enclosure, especially around plazas and along streets.

1. Lobbies for upper-story should be clearly expressed through the use of gables, awnings, special materials, or other architectural treatments.

2. The use of bay windows and balconies are encouraged, and should not appear to be cantilevered for more than 6 inches, without the incorporation of visible blocking, brackets, corbels, etc.

E. Roof Forms. Roof forms should be simple, and reflect the internal organization of buildings.

1. The use of hip and gable roofs are encouraged.

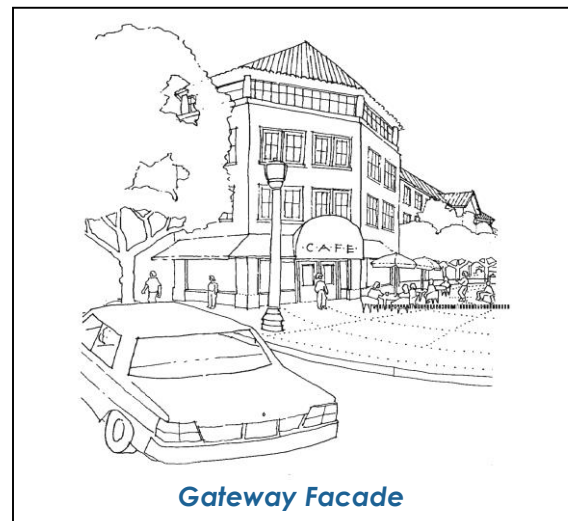
2. Flat roofs with parapets should be accompanied by a built-up or recessed cornice, or other shadow-creating detail at the top of the parapet.

F. Gateway Facades. Facades visible from freeways, Mission Boulevard, Euclid Avenue, and passenger rail connections, should be especially attractive.

1. Facades should include a major entry feature, along with fenestration over at least 30 percent of the facade's exterior surface.

2. A monolithic appearance should be avoided through application of the design guidelines noted previously.

G. Hotels and Motels. The facades of hotels and motels should include bay windows, balconies, arcades, towers, and other projections, to avoid a monotonous appearance and an overly horizontal composition.



Gateway Facade

1. Roofs should be of hip or gable design, and the use of tile roofs are encouraged.

2. The use of roof dormers are encouraged and should be coordinated with the rhythm of fenestration and bays

H. Drive-Up Windows. Provide roofs or overhead trellises at drive-up windows.

1. Posts supporting roofs or trellises should be substantial in appearance. These features should be integrated into the overall architectural design of the project, and should not appear as an afterthought.

2. The stacking area for drive-up windows should be screened from the street through a combination of low decorative masonry walls and landscaping.

I. Screening Equipment. Mechanical equipment should be integrated into the project site and building design, and should not appear as an afterthought.

1. Roof-top and ground-mounted equipment should be screened from view of elevated highways, streets, parking lots, connecting walkways and freeways.

2. Mechanical equipment can be screened behind parapets, or by recessing equipment into hip, gable, parapet, or similar roof features. The use of plain box structures are not acceptable.

3. Screening details should incorporate decorative cap elements, and the same exterior trim details as found elsewhere in the project.

4. The top of screens should be at least as high as the top of the equipment being screened; however, the screen walls should be generally kept as low as possible. If freeways or other public ways have an elevation that is equal to or above the elevation of equipment, a section should be prepared which shows the relationship of the equipment to the public way and the manner in which this view will be screened.

5. Transformers, heating units, and other ground-mounted equipment, should be adequately screened with walls and/or landscaping. These features should be designed to be graffiti- and vandal-resistant by providing a 2-FT wide landscape strip at the base of walls, to accommodate the planting of dense shrubs, and by using materials that are easily cleaned or painted. Additionally, area for future ground-mounted equipment and screening needs should be considered, and set aside if needed.

J. Loading and Storage Areas. Loading docks, overhead doors, and storage areas, should not face streets and freeways, and should preferably be located behind or to the side of buildings.

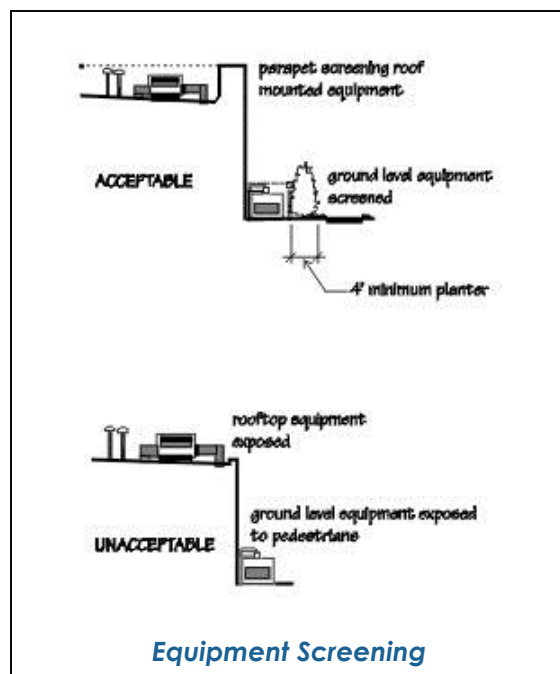
1. Where oblique views are possible from streets, freeways, connecting walkways, or residences, the loading docks, overhead doors, and storage areas, should be screened through the use of walls, decorative metal trellises, and tall landscaping or equivalent features.

2. Loading docks and storage areas should not conflict with connecting walkways.

3. If located adjacent to residential areas, the design of overhead doors should minimize noise through devices such as dock seals and/or other dampening features.

4. Locate fixed hardware for rolling doors on the inside of buildings to minimize visual clutter caused by door hardware.

5. Fences or walls, in combination with landscaping, should be used to screen outdoor storage and loading areas that may be visible from freeways or passenger rail connections.



E.01.006: Architectural Details

A. Architectural Styles. Construction should render any chosen style well through appropriate detailing, properly applied materials, and quality workmanship.

1. A consistent architectural style should be used for a building and the elements that relate to it, such as trellises, planters, light-standards, etc. Multiple building projects should also use a consistent architectural style. While specific architectural styles are not dictated by the Development Code, several styles predominate in Ontario and should be emulated to help keep Ontario's unique "sense of place".

2. These styles generally respond to the region's climate. Shade windows, outdoor circulation, and outdoor courtyard or plazas with deep eaves, recessed window frames, awnings, arcades, loggias, trellises, and trees. Predominant styles include Mediterranean Revival. "High tech" styles with unarticulated surfaces and insubstantial materials should be avoided.

B. Blank Walls. Building facades should not be monotonous or have a flat, shadowless appearance on any side.

1. No wall should have a blank, uninterrupted length exceeding 20 FT without including one of the following:

- a.** Change in texture;
- b.** Vertical and Horizontal changes in plane of at least 2 FT;
- c.** Windows (excluding clerestory windows and glass block;
- d.** Decorative trellis work; or
- e.** Tree or equivalent element.

2. Facades that are visible from adjacent streets or walkways should display even greater visual interest by using architectural elements that break up the massing of large buildings, such as windows, arcades, porticos, and other architectural features.

C. Base and Top Treatments. All facades should have a recognizable "base" and "top".

1. Base. The base should visually carry the weight of the building. A recommended rule of thumb is approximately one-eighth of a building's height, unless associated with window stem walls where it may be as little as 18 inches tall. Techniques for establishing a base



include (but are not limited to): (a) thicker walls, (b) richly textured materials (e.g. tile or masonry treatments), (c) darker colored materials, mullion, and/or panels, and/or (d) enriched landscaping with a mature height of at least 18" and permanently maintained. Special materials, such as ceramic tile, granite and marble, are encouraged on the base of buildings that face streets or connecting walkways, especially adjacent to major entries.

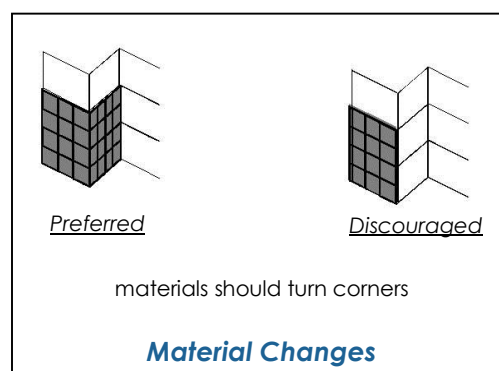
2. Tops. The top takes advantage of the visual prominence of a building's silhouette and should be approximately one-twentieth of a building's height, or 12 inches, whichever is greater. Techniques for clearly expressing a top include (but are not limited to): (a) cornice treatments, (b) roof overhangs with brackets, (c) stepped parapets, (d) richly textured materials (e.g. tile or masonry treatments), and/or (e) differently colored materials. Colored "stripes" are not acceptable as the only treatment.

D. Quality of Construction. Give an attractive appearance to all facades through careful and correct detailing, especially at the base of buildings, along cornices, eaves, parapets or ridge tops, and around entries and windows. Appearance may also be enhanced through the correct use of materials, expansion joints, and reveals.

E. Exterior Materials. The use of high quality building materials are encouraged. Recommended materials include stucco, exterior plaster, wood siding, tile, and natural stone or river rock. The use of veneers having an artificial appearance are not recommended. Materials and detailing should have a natural, substantial, and long-lasting appearance.

F. Material Changes. To avoid the false appearance of lightweight veneers, material changes should not occur at external corners. Material changes should occur at interior corners, or as a "return," extending at least 2 feet past an external.

G. Roof Materials. Roof materials should be durable and display frequent, clearly marked, shadow lines. Generally acceptable roof materials include metal standing seam, concrete tile, ceramic tile, and slate or slate-like materials, and architectural grade composition shingles (*Note: Only tile roofs should be used within the Euclid Avenue Overlay District*). Roof materials that are not acceptable include combustible or nonfire-rated materials, roll roofing, and lightweight asphalt shingles.



H. Colors. For larger building surfaces (excluding trim), colors should be muted and lighter in value. Muted colors contain a mix of complementary colors that result in off-whites, tans, and other "softer colors". Lighter colors have a value equivalent to 30% or less on a grey scale. Accent colors may include brighter and darker colors.

I. Windows. To provide a base element and greater safety, window frames should generally be set on a stem wall or framed panel that is at least 18 inches high. Additionally, window frames should be substantial and should be framed or inset to establish an attractive shadow, which is flush with the exterior finish. Glazing should be inset at least 2 inches from the front face of the exterior finish.

J. Downspouts. Downspouts should be concealed on facades that face a street or freeway.

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Reference F—Industrial Design Guidelines

Sections:

- [F.01.001](#): Purpose
- [F.01.002](#): Applicability
- [F.01.003](#): Open Space and Landscaping
- [F.01.004](#): Transit Facilities
- [F.01.005](#): Site Design
- [F.01.006](#): Building Design
- [F.01.007](#): Architectural Treatments

F.01.001: Purpose

These Commercial Design Guidelines are intended as a reference to assist the designer in understanding the City's goals and objectives for commercial development, and to:

- A.** Encourage office and commercial development that is convenient and attractive, and enhances surrounding neighborhoods, the downtown area and the City as a whole;
- B.** Provide for both convenient motor vehicle access and safe pedestrian access, recognizing that some commercial-bound trips may be on foot for some uses; and
- C.** Compliment the mandatory commercial development regulations established by Development Code Section 6.01.025 (Industrial Zoning Districts), by providing examples of potential design solutions, and by providing design interpretations of the various mandatory regulations.

F.01.002: Applicability

- A.** The industrial design guidelines are general and may be interpreted with some flexibility in their application to specific projects. Variations may be considered for projects with special design characteristics during the City's development review process, to encourage the highest level of design quality, while at the same time providing the flexibility necessary to encourage creativity on the part of project designers. Nonetheless, unless there are compelling reasons or practical difficulties, these guidelines shall be observed.
- B.** Determinations of compliance with the industrial design guidelines shall be made by the Approving Authority.
- C.** These Industrial Design Guidelines are authorized by Subsection F of Development Code Section 6.01.025, and are enforceable in the same manner, and to the same extent, as any other applicable requirement of the Ontario Development Code.

F.01.003: Open Space and Landscaping**A. Site Accessories.**

1. Site features, such as recycling bins, bike racks, litter cans, planters, benches and transit shelters, should be designed as an integral part of the project.

2. Architectural character and use of materials should be consistent with the overall project. Design these features to be graffiti- and vandal-resistant by using materials that are easily cleaned or painted. Avoid interrupting connecting walkways with these features.

B. Connecting Walkways.

1. Walkways should connect major building entries with the public sidewalk along the street.

2. Ideally, pedestrian walkways should be adjacent to buildings, and overlooked by frequent entries or windows.

3. Connecting walkways should be at least 5 FT in width (excluding car overhangs), and should be accompanied by a minimum 5-FT wide landscape buffer, with trees planted at least every 30 FT on center.

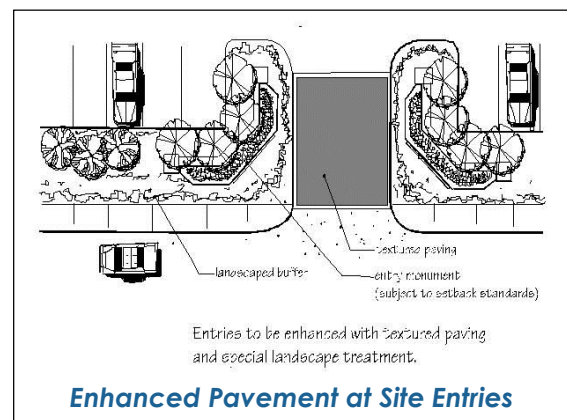
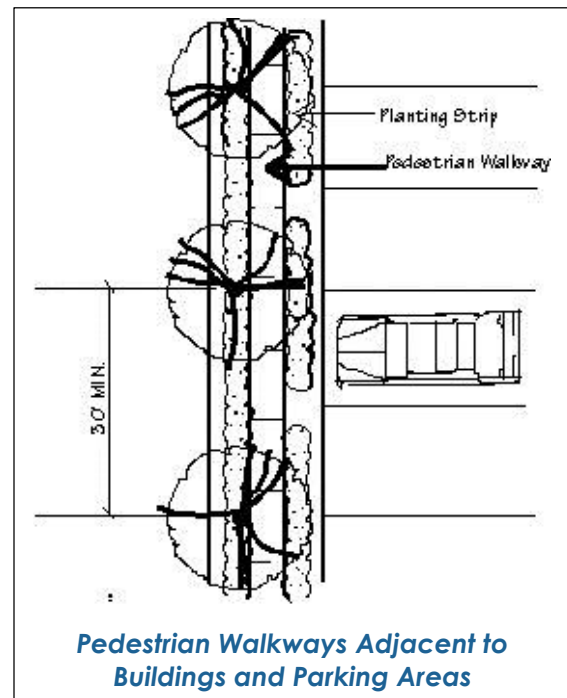
4. Walkways with decorative pavers, or other special design treatment, are preferred. Walkways should provide a direct route, without conflicting with parking and loading areas, and vehicular access and egress points to the parking areas.

C. Site Entries.

1. Create visible “gateways” at major vehicular and pedestrian entries.

2. Entries to a project should be identified by decorative pavement, intensified landscaping, accent trees, and other decorative features.

3. Where site entries are adjacent to a building entry, the incorporation of pedestrian plazas are strongly encouraged.



D. Plazas.

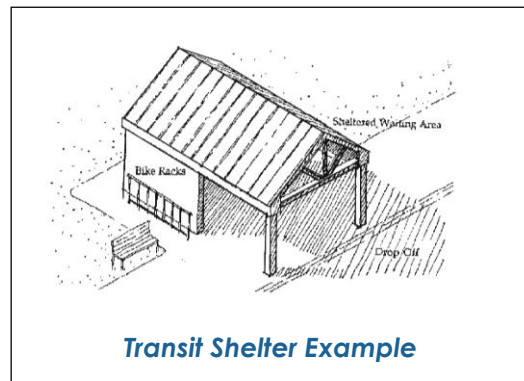
1. Plazas are encouraged as a site amenity and design detail.
2. Arrange buildings to include opportunities for plazas, courts or gardens, and lunch areas for employees with such amenities as outdoor seating, landscaping, water elements, pergolas, special lighting and other “place-making” features. Plazas are encouraged where high levels of pedestrian activity are expected, such as adjacent to major entrances and food services such as delis, restaurants and bakeries or between building clusters in a business park development.
3. Building entrances and windows should look onto plazas to enhance activity and security.
4. Locate outdoor employee welfare (break) areas away from loading areas, or other high-traffic areas.

F.01.004: Transit Facilities**A. Transit Stops.**

1. Industrial Developments should be designed to take advantage of mass transit opportunities.
2. Development edges along arterial and collector streets should provide transit stops, including turnouts for bus stops. Developments without transit connections should be avoided.

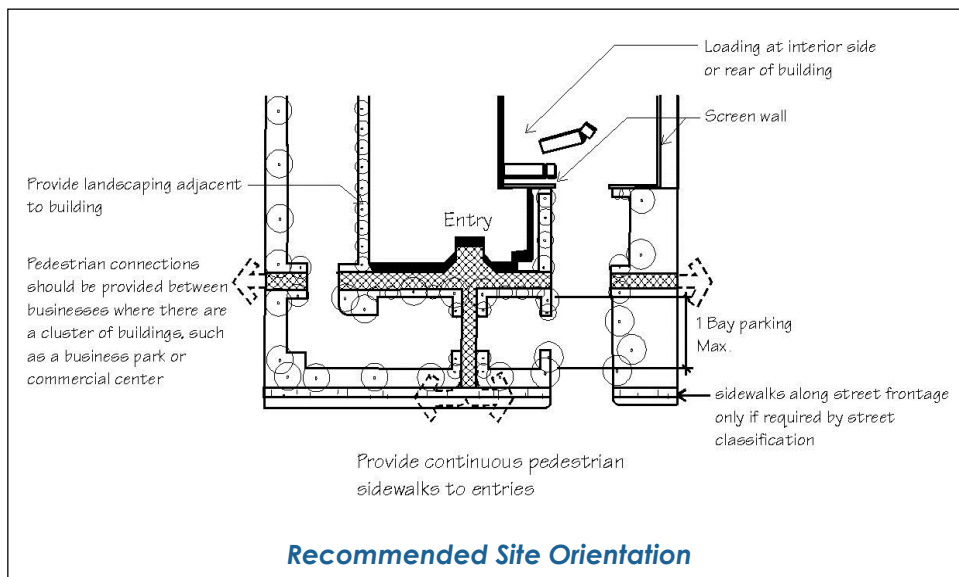
B. Transit Shelters.

1. Transit shelters should be provided near major concentrations of employees.
2. Where a transit stop is planned adjacent to a project of at least 5 acres, the developer should coordinate with the transit district to determine a suitable location for an on-site transit shelter.
3. Freestanding shelters should be integrated architecturally with the project with respect to color, materials, and architectural style. Transit shelters should also contain trash receptacles and utilize solar power to provide lighting.



F.01.005: Site Design**A. Basic Orientation.**

1. Entries, buildings, administrative (office) areas, and windows should front onto the street.
2. Attention should be provided to the "public perimeter" (i.e. areas visible from public streets and freeways and public access on-site and adjacent properties). Loading and parking should generally be located to the side and rear of buildings with the following exceptions:



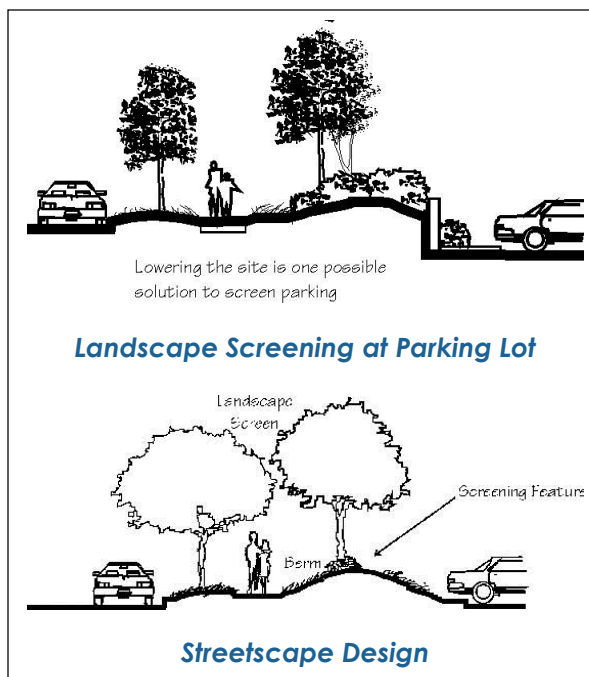
a. Parking lots may front onto streets but must conform to guidelines contained within "Street Frontage and Parking Lots."

b. Where rear or side loading areas are not practical because of rail service or northerly winds, loading and service areas may front onto streets but must conform to guidelines contained within "loading and storage areas."

c. For buildings fronting on freeways or Mission Boulevard, loading areas should not face freeways or Mission Boulevard.

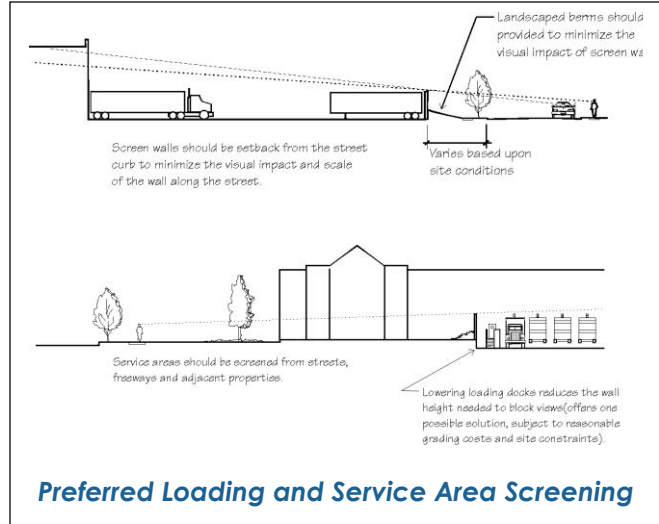
B. Street Frontage and Parking Lots.

1. Visitor and short-term parking lots may be sited between the street and building entrances.
2. Parking lots should not be the dominant visual element of a site. Large



expansive paved areas between the street and building(s) are to be avoided in favor of smaller lots separated by landscaping and buildings.

3. Where parking lots occur along streets, a landscaped buffer should be provided to minimize views of parked cars from the street and be permanently maintained. The landscaped buffer at the street should be at least 15 FT in width, excluding parkway landscaping. Within the landscaped buffer, trees should be spaced at 30 FT apart, and within 5 FT of the front property line. In addition, the landscape buffer should include a screening feature that is 3 FT in height, and includes a low wall, hedge, or equivalent.



4. Parking areas should be arranged to minimize conflicts with loading activities.

5. Parking areas should be accessed from the street so that circulation to parking areas does not interfere with other site activities. Visitor parking should be located at the front and sides of buildings, near primary building entrances.

C. Lighting.

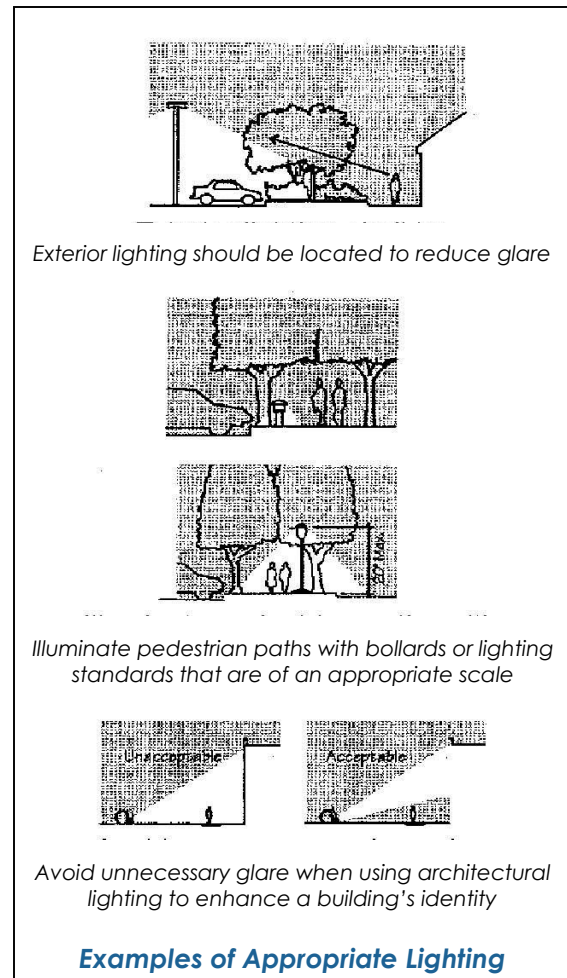
1. Exterior lighting standards should be located and designed to minimize direct glare beyond the parking lot or service area.

2. Light standards under 25 FT in height (including lighting bollards) are encouraged throughout a project and should illuminate all sidewalks and connecting walkways. Taller standards may be used only if:

a. Reflectors direct light only toward the center of parking areas and at least 60 FT from a residential property; and

b. Trees are planted along streets and property lines at a spacing of not more than 30 FT.

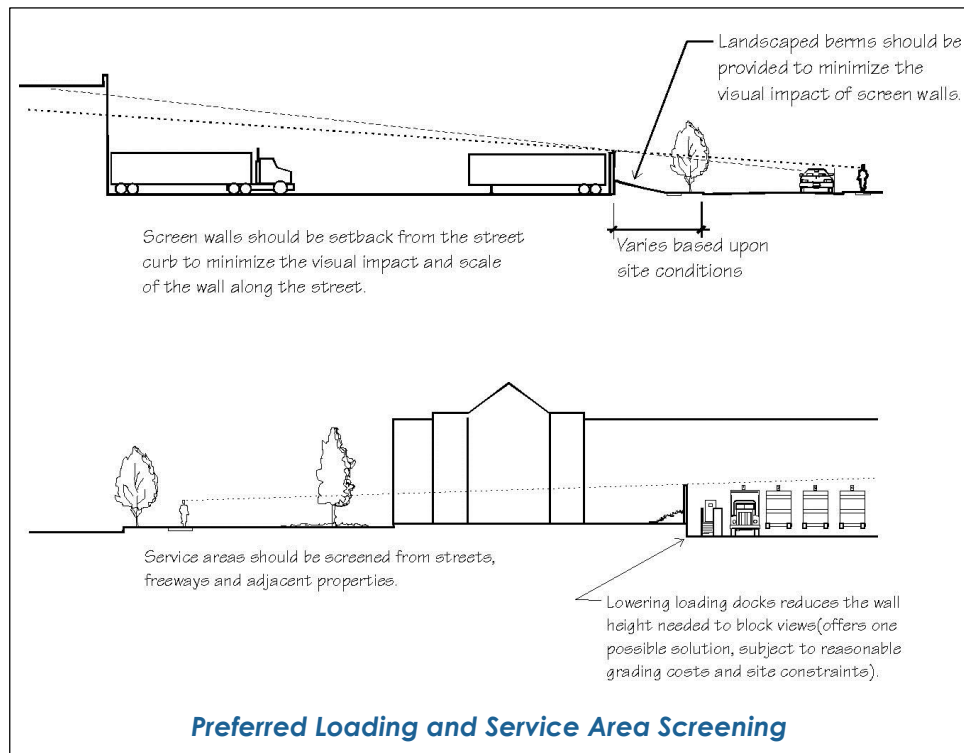
3. Concealing light features within buildings and landscaping can highlight attractive features and avoid intrusion into neighboring properties. Use of lighting is especially encouraged at entries, plazas and other areas where evening



activity is expected. Lighting should utilize Metal Halide luminaires.

D. Loading and Storage Area Orientation/Design. Loading and storage areas should generally not face streets.

1. When loading areas must face a street due to the implementation of a cross-dock design or northerly winds, they must be screened with a decorative masonry wall. Where oblique views of these features are possible from streets, freeways, connecting walkways or residences, the features should be screened through the use of walls, trellises, tall landscaping, or equivalent features. Section plans should be prepared to show that the wall height is sufficient to screen the loading area, vehicles and trailers from view of adjacent properties and streets.



2. Adequate room should be provided for trucks to maneuver or staging to unload. The area within 120 FT in front of loading docks should be paved and kept free of obstacles. In addition, loading and storage areas should not conflict with connecting walkways or required parking areas.

3. Loading areas should be designed to include attractive and durable materials. Design considerations for loading and storage areas include:

a. Locate fixed hardware for rolling doors on the inside of buildings to minimize visual "clutter".

b. In the loading and storage areas, building segments above loading doors visible from the street and surrounding properties should conform with other guidelines pertaining to building features, materials and finishes.

c. If located adjacent to residential areas, the design of overhead doors should minimize noise through devices such as rubber seals and/or other dampening features.

d. Avoid outdoor storage exceeding a height of 8 feet and lower the grade of loading docks, where practical, to minimize views from the street and the need for tall walls or fencing.

E. Fences, Walls and Hedges. Fences and walls should be designed as an integral part of the whole project.

1. Materials.

a. Fences and walls should use materials and design elements that make it consistent with the design of the whole project.

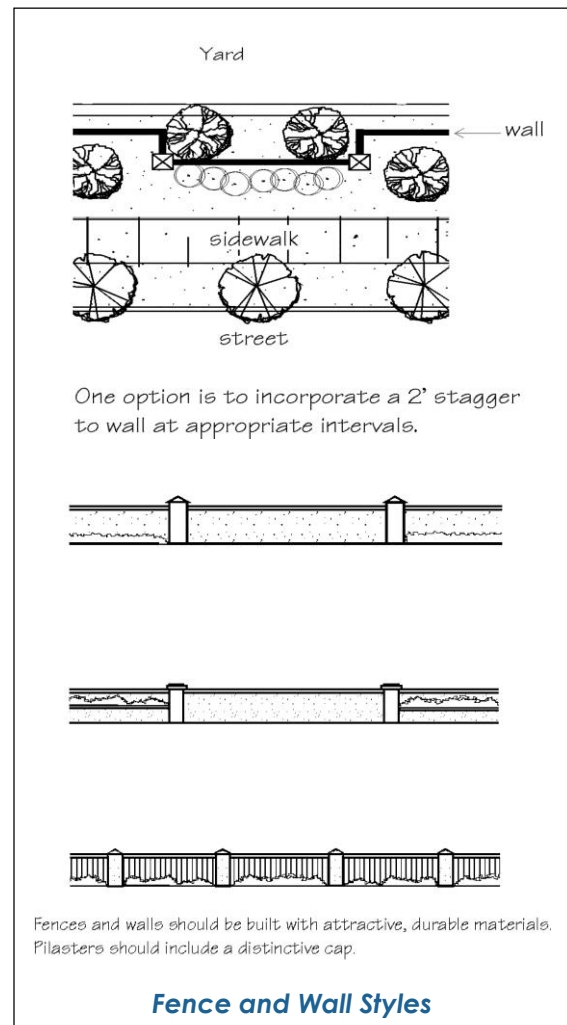
b. Fences and walls in public view should be built with attractive durable materials, including (but not limited to) wrought iron, textured concrete block, or formed concrete with reveals. Fences or walls should be consistent with materials and designs used throughout the project. Sliding gates to loading areas visible from a street should be constructed with wrought iron and high density perforated metal screening, painted to match or complement adjacent walls. Site entries requiring gates should be offset from direct view to loading areas where possible to minimize extent of screening, and avoid direct view to loading areas when gates are open.

2. Height. Street side fences or walls should adequately screen views to the top of loading doors and bays, and parked tractors and trailers. The height of screen walls should not exceed 14 FT from the highest finished grade. The area in front of walls and fences should be landscaped with shrubs and trees reaching a mature height that exceeds the height of adjacent walls or fences.

3. Special Design Considerations.

a. Along street frontages, avoid long expanses of uninterrupted fences and walls. Long expanses of wall surfaces should be offset and architecturally treated to prevent monotony. Techniques to accomplish this treatment may include but are not limited to the following: raised planters, openings, material change, staggered sections, and pilasters or posts.

b. Provide openings to fences and walls to connect walkways directly to the street and avoid circuitous routes for pedestrians. These pedestrian “gateways” should be announced by pilasters, trellises, special landscaping, or other special features. Landscape berms should be provided to minimize the height impact of screen walls.



4. Fences and Walls Adjacent to Non-Industrial Uses. Where industrial uses are adjacent to non-industrial uses, appropriate buffering techniques such as setbacks, screening, and landscaping need to be provided to mitigate any negative effects of industrial uses.

5. Fence and Wall Styles. While site plans should avoid placing rear property lines along local streets and minor collectors, tall walls and fences are sometimes unavoidable along a street. Pilasters, planter boxes, trellises, material changes, planar changes, or other treatments should be used to avoid long and monotonous street fronts. Appropriate designs include:

- a. A solid wall with pilasters;
- b. A short wall with fencing and pilasters;
- c. Fencing with pilasters, staggered walls (i.e. change-in-plane);
- d. Gated openings and planters integrated with walls. Pilasters, openings, or a 3-FT minimum change-in-plane, should occur at least every 40 FT; and
- e. Exterior security fencing should be considered in the initial design stage to avoid the need for future modifications to the plan.

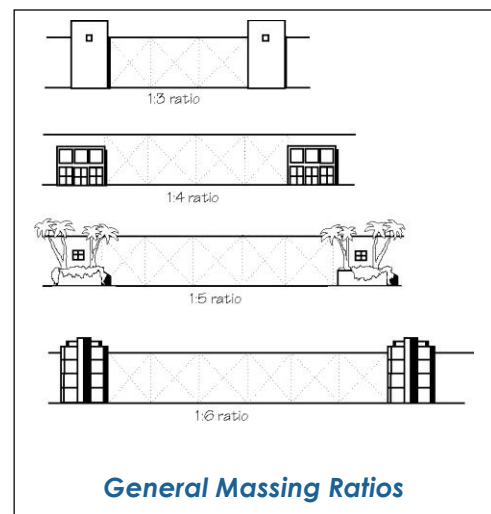
6. Refuse Enclosures and Equipment.

- a. Refuse containers and equipment should be easily accessed by service vehicles, but screened from public view.
- b. Locate refuse containers and equipment within a building's facade or within a screened enclosure. Reflect the architectural style of adjacent buildings in the design of enclosures, and use similar, high-quality materials. Landscaping or trellis work should be provided on each side of screened enclosures within parking areas, and when visible from a street or connecting walkway.

F.01.006: Building Design.

A. General Massing and Roof Form. A single, dominant building mass should be avoided. Substantial variations in massing should include changes in height and horizontal plane.

1. Typically, horizontal masses for building elevations less than 700 lineal FT should not exceed a height to width ratio of 1:5 without a substantial architectural element that projects up or away from the building, such as towers, bays, lattices, or other architectural features. Buildings greater than 700 lineal feet should not exceed a height to width ratio of 1:6 without massing variations. A ratio of 1:10 may be considered for facades greater than 700 lineal FT with



external treatment detached from the building to help break the mass of the structure between massing breaks, including columns, colonnades, trellises, or enhanced landscape treatment.

2. The extent of massing breaks and building projections should relate visually to the overall scale of the building.

3. Roof forms should be simple, avoid a massive appearance, and reflect the internal organization of buildings.

4. Building projections should project 4 FT and must project a minimum of 2 FT. Building projections must also contain returns having a minimum length of 6 FT.

B. Entry Design. Entries and windows are encouraged to face streets and pedestrian walkways.

1. Projects with few employees should attempt to place entries and the most active areas near the street to avoid long, “unguarded” walkways. Incorporate special materials, color, detailing, or equivalent architectural treatment at major entries.

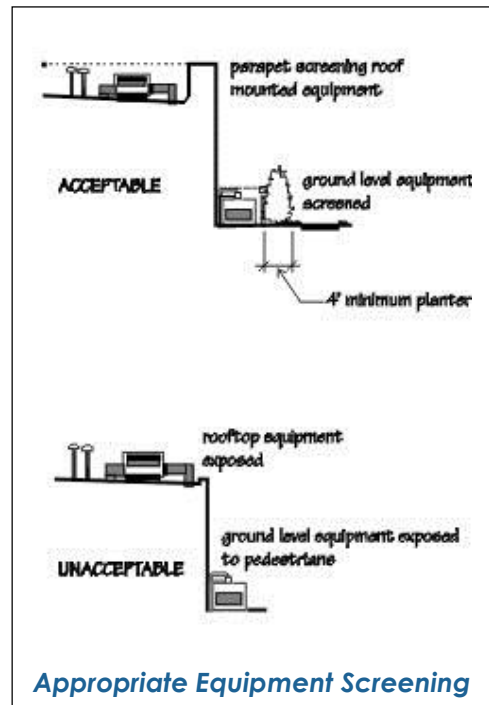
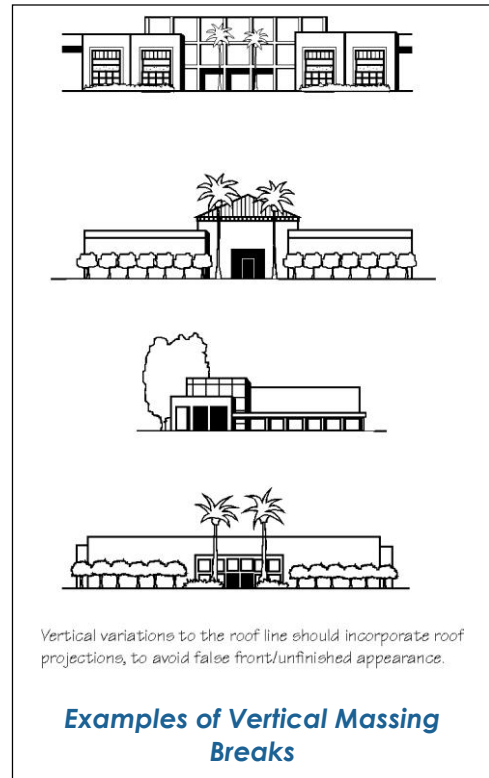
2. Highlight primary building entries through the massing of the building. Greater height can be used to highlight and accentuate entries in the form of corner tower elements, tall voids, or a central mass meeting an entry plaza. Smaller building masses can be used to identify secondary entries.

C. Gateway Facades. Facades visible from freeways, major arterial streets, and passenger rail connections should be especially attractive. These facades should include a major entry feature and fenestration over at least 25 percent of the facade’s surface. A monolithic appearance (areas of unarticulated mass that is out of scale with the balance of the building) must be avoided.

D. Mechanical Equipment Screening.

1. Rooftop and ground-mounted equipment must be screened from public view.

2. Where possible, integrate rooftop equipment into the overall mass of a building. At a minimum, screen roof mounted equipment through the use of parapets, screen walls, equipment wells, mechanical room enclosures and similar design features. Screening devices other than parapet walls shall be designed as an integral element of the building mass. Picket fencing, chain-link fencing and metal boxes shall



be avoided. The top of screens should be at least as high as the top of the equipment, with additional height provided where larger equipment units could be used in the future.

3. Cross-section drawings should be prepared to illustrate the method in which the equipment will be screened from view of adjacent streets, freeways and properties.

4. Typical ground-mounted equipment (such as transformers and heating units) should be screened with walls and/or landscaping. Large structures and/or equipment such as water tanks, silos and large bins, should be screened from public view through the use of building walls, decorative screen walls, and landscaping,

F.01.007: Architectural Treatments

A. Architectural Style.

1. Construction should reflect a chosen style through appropriate detailing, properly applied materials, and quality workmanship.

2. A consistent architectural style should be used for a building and the elements that relate to it, such as trellises, planters, light-standards, etc. Multiple building projects should also use a consistent architectural style.

B. Base and Top Treatments. Facades having a recognizable “base” and “top” are highly encouraged.

1. Base. The “base” should visually relate to the proportion and scale of the building. Techniques for establishing a base include, but are not limited to:

- Material changes incorporating richly textured materials (e.g., natural or manufactured stone, tile, or masonry treatments);
- Color blocking through the use of darker colored materials;
- Thickened wall panels; and
- Reveal and mullion patterns.

2. Top. The “top” takes advantage of the visual prominence of a building's silhouette. Techniques for clearly expressing a top may include, but are not limited to:

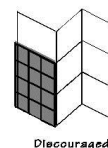
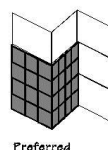
- Decorative, cornice treatments;
- Roof overhangs incorporating decorative brackets;
- Material changes incorporating richly textured materials;
- Color blocking through paint and material changes;



Massing Break Example



Example External Treatment for Long Elevations



Materials Should Turn Corners

Preferred e should tur **Discouraged**
Material Changes

- The use of colored “stripes” is not an acceptable treatment;
- Texture, reveals and color may be appropriate in some applications, and
- On larger buildings (greater than 250,000 SF), vertical expressions that comply with the general massing provisions contained in Subsection F.1 (General Massing and Roof Form) of this Section, may be considered an alternative for “top” treatment.

C. Building Wall Treatment.

1. Avoid blank walls between massing breaks, especially along facades visible from adjacent streets or walkways, by use of the following techniques:

- Changes in materials and textures;
- Revealed pilaster;
- Horizontal changes in plane (2 FT minimum and 4 FT recommended) that correspond with vertical changes in the parapet height;
- Mullion and glazing patterns; and
- Projecting horizontal lattices and colonnades with roofs or overhead trellises.

2. Vertical variations to the roofline should incorporate roof projections, to avoid a false front/unfinished appearance. Rear elevations screened from public view may be excluded.

D. Roof Materials. Roofing materials should be durable. Where visible from the street, acceptable roofing materials include metal standing seam, and concrete tile.

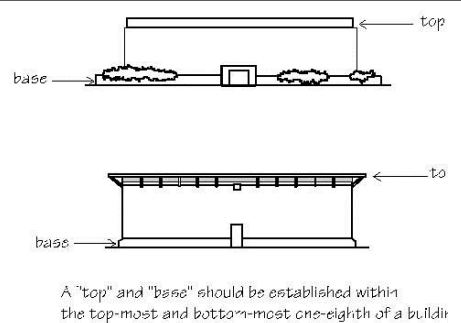
E. Material Changes. Avoid the false appearance of lightweight veneers, by hiding material changes through careful detailing. Material changes should not occur at external corners, but rather at “reverse” or interior corners, or as a “return” of at least 4 FT, measured from external corners, with extended returns provided for larger buildings.

F. Paint Palettes.

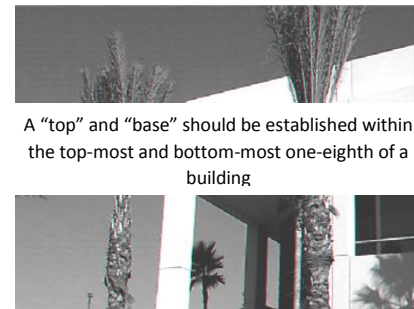
1. For larger building surfaces (excluding trim), colors should be muted.

2. Lighter colors should have a value equivalent to 30 percent or less on a grey scale.

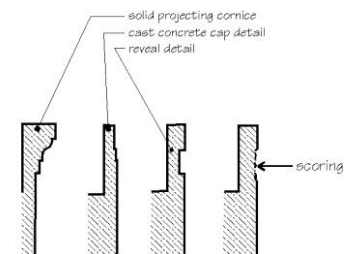
3. Accent colors may include brighter and darker colors.



Base Treatment Example



Top Treatment Example



Acceptable Top (Cornice) Treatments

G. Quality of Construction. An attractive appearance to all facades should be provided through careful detailing, especially at **[i]** the base of buildings, **[ii]** along cornices, eaves, parapets or ridgetops, and **[iii]** around entries and windows. Appearance may also be enhanced through the correct use of materials, expansion joints, and reveals.

H. Downspouts. Downspouts should be concealed on facades that are visible from a street or freeway.

I. Windows.

1. Window frames should appear substantial and should not be flush with the exterior finish.
2. Glazing should be inset at least two inches from the front face of the exterior finish.

J. Lighting.

1. All light standards should be consistent with respect to design, materials, color and color of light, and with the overall architectural style of the project.
2. At a minimum, all light standards should have an attractive base and top.
3. The use of “cobrahead” standards is not permitted.
4. Buildings and landscaping can be illuminated indirectly, to create a strong positive image.

Reference G—Landscape Design and Construction Guidelines

Sections:

- [G.01.001](#): Purpose
- [G.01.002](#): Applicability
- [G.01.003](#): Landscape Design Guidelines
- [G.01.004](#): Prescriptive Compliance Option

Worksheets:

- [G.01-1](#): Water Efficient Landscape Worksheet
- [G.01-2](#): Landscape Architect—Certificate of Compliance
- [G.01-3](#): Recommendations for Vegetated Swales

G.01.001: Purpose

These Landscape Design and Construction Guidelines are intended as a reference to assist design professionals, landscape contractors and homeowners in their understanding of the City's goals and objectives for the preparation of landscape construction documentation plans, and the installation of landscape materials and elements.

Furthermore, these guidelines are intended to compliment the mandatory landscape and irrigation regulations established by Development Code Division 6.5 (Landscaping), by providing examples of potential design solutions, and by providing design interpretations of the various mandatory regulations.

G.01.002: Applicability

A. The industrial design guidelines are general and may be interpreted with some flexibility in their application to specific projects. Variations may be considered for projects with special design characteristics during the City's development review process, to encourage the highest level of design quality, while at the same time providing the flexibility necessary to encourage creativity on the part of project designers. Nonetheless, unless there are compelling reasons or practical difficulties, these guidelines shall be observed.

B. Determinations of compliance with the Landscape Design and Construction Guidelines shall be made by the Approving Authority.

C. These Landscape Design and Construction Guidelines are authorized by Development Code Section 6.05.045 (Landscape Design and Construction Guidelines), and are enforceable in the same manner, and to the same extent, as any other applicable requirement of the Ontario Development Code.

G.01.003: Landscape Design Guidelines

A. Water conservation is a high priority in the City of Ontario. Landscapes shall be designed to use water efficiently without waste to the lowest practical amount and comply with the State's

current Model Water Efficient Landscape Ordinance. Sources for low water plants are WUCOLS, "Water Use Classification of Landscape Species" <http://www.owue.water.ca.gov/docs/wucols00.pdf>.

B. Landscape areas should be composed primarily of living plant materials spaced no greater than the mature diameter of each plant. Non-living ornamental features (boulders, gravel, dry stream beds, etc.) should comprise no more than 5 percent of the total landscape area, and shall be a pervious material.

C. Warm season turf is recommended for recreational use projects (parks, sports fields, etc. where turf provides a playing surface) and residential projects with a maximum 50 percent of the landscape area. Planter areas irrigated by spray should be no less than 8 FT in width. Low water use groundcovers should be used in traditional turf areas; parkways, etc.

D. Design landscape areas and irrigation systems for use with recycled water where required by the City. New multiple-family residential projects must use recycled water for homeowner association (HOA) maintained areas, such as parks, parkways, neighborhood edges, and common areas. Single-family residential projects must use potable water with a backflow for all landscape areas, even if HOA maintained.

E. Property irrigated with recycled water must provide a physical separation from areas irrigated with potable water, by means of a wall, fence, paving, or a center mow curb within the landscape area, located 4 FT from the area irrigated with recycled water. Irrigation lines and heads may be located no closer than 2 FT of each side of the mow curb.

F. Concrete mowstrips, minimum 6 inches wide by 6 inches high or 4 inches wide by 6 inches high, must be provided at turf areas located adjacent to landscape planter areas, and to provide separation between adjacent properties or maintenance responsibility areas. Redwood header boards are allowed only for use with individual single-family homes, and to define a lot line adjacent to undeveloped property.

G. Design landscape areas so that utilities, such as backflow preventers, are screened by minimum 4-FT wide planter areas, and massed with similar height shrubs (Note: Paint brass backflow preventers green (RAL 6009 Fir Green or equal)). Furthermore, coordinate landscape plans with utility plans, so that transformers are: **[i]** setback at least 4 FT from paved area and 5 FT from roadways, **[ii]** screened with shrubs of similar height on 3 sides; and **[iii]** planted with a maximum 18-inch high groundcover at the front.

H. Accent trees (single or multi-trunk specimens) are required at all nonresidential corner statements, including vehicular entries and the corners of major intersections. All accent trees should be minimum 36-inch box. Palms should have a minimum 17-FT brown trunk height (BTH), and a minimum 4-FT cubed rootball.

I. Foundation planting adjacent to buildings (hedgerows or shrub masses in a hierarchical pattern) must be provided at nonresidential primary exterior building elevations, and at residential front yards, to soften the break between the horizontal ground plane and the vertical building plane.

J. Plants at monument signs shall be made up of a hierarchy of ornamental shrubs or perennials.

K. Landscape areas must have a minimum inside dimension of 5 FT to accommodate tree

growth, and must have a minimum inside dimension of 6 FT in if it contains a vegetated swale.

L. Parking areas visible from public streets or adjacent parcels should be screened with landscaping having a height of at least 3 FT, or a combination of landscaping and maximum 3-FT high decorative walls.

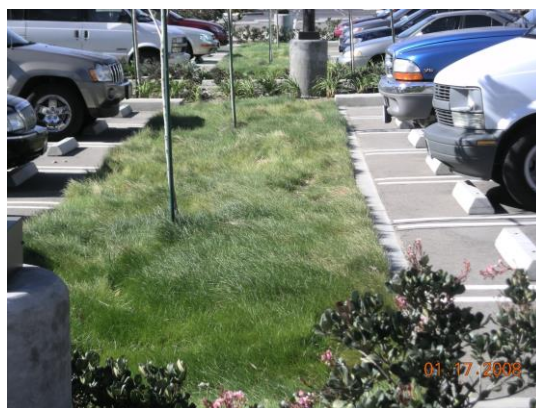
M. Landscape areas adjacent to parking areas should be planted to accommodate a 2-FT overhang of vehicles, unless wheel stops are provided.

N. Parking lots should be planted with canopy shade trees having a minimum canopy diameter of 30 FT, provided at the minimum rate of one tree for each 5 parking spaces.

O. Parking lots with double rows of parking spaces are encouraged to provide a 4-FT to 5-FT wide landscaped strip containing an infiltration trench, where possible (see Infiltration Trench Example, right).

P. Parking lot landscaping shall maximize broad canopy shade tree planting to reduce heat gain on paving and buildings. Add large planters, center planter strips or diamond planters between parking rows for shade trees.

Q. Planters adjacent to parking spaces shall have a 12-inch wide curb, providing a step-out area for access to vehicles.



Infiltration Trench Example

R. Landscape areas should be bordered by 6-inch concrete curbs, except where openings into infiltration basins or swales are provided.

S. Trash enclosures should have adjacent planters with trees, shrubs, and vines to screen (see Trash Enclosure Adjacent Planters Example, right).

T. Parkway areas within street rights-of-way must be landscaped with living plant material less than 18 inches in height, automatically irrigated, and contain street trees pursuant to the Master Street Tree Plan, spaced at 25 to 35 FT apart, and coordinated with utility locations and setbacks.

U. Undeveloped areas within a project site must be seeded with a wild flower or ornamental grass mix, and automatically irrigated to prevent soil erosion from rain and strong winds.



Trash Enclosure Adjacent Planters Example

V. Projects with landscape areas within Caltrans rights-of-way must enter into a cooperative agreement with Caltrans San Bernardino Division, for landscape installation and maintenance.

W. Wireless telecommunications facilities must be screened with groupings (minimum 3) of approved live trees and shrubs, to blend the facility with adjacent tree or palm stands (California native trees and shrubs are preferred). Tree size should be minimum two-thirds the height of the facility, or as approved by the Planning Director. Permanent irrigation and regular maintenance shall be provided for all landscaped areas.

X. Additional landscape requirements may be required for projects located within established specific plan areas.

Y. Plant selection and irrigation design must be appropriate with the City's regional climate (Zone 18), classified as Mediterranean, and characterized by hot, dry summers and mild winters. Winter temperatures average between 60 and 70 degrees, with occasional lows in the 20's. Summers average from 75 to 90 degrees, with highs exceeding 100 degrees. Average yearly rainfall is approximately 16 inches. Winds develop from the southwest, averaging 6 mph. Hot, dry Santa Ana winds occur between October to March, from the northeast, at 30 mph, with gusts at 60 mph or more. Air quality is considered poor due to frequent temperature inversions trapping pollutants below the inversion.

G.01.004: Prescriptive Compliance Option

A. This Section contains prescriptive requirements which may be used as a compliance option to the State Model Water Efficient Landscape Ordinance (CCR Title 23, Division 2, Chapter 2.7).

B. Compliance with the following items is mandatory and must be documented on landscape plan and irrigation plans in order to use the Prescriptive Compliance Option:

1. Submit Landscape and Irrigation Construction Documentation Plans (pursuant to Development Code Section 6.05.015.B.1, Landscape and Irrigation Construction Documentation Plans Required), which includes the following elements:

- a.** Date;
- b.** Project applicant;
- c.** Project address (if available, parcel and/or lot number(s));
- d.** Total landscape area (square feet), including a breakdown of turf and plant material;
- e.** Project type (e.g., new, rehabilitated, public, private, cemetery, homeowner-installed);
- f.** Water supply type (e.g., potable, recycled, well) and identify the local water purveyor;
- g.** Contact information for the project applicant and property owner; and
- h.** Applicant signature and date, with the following statement: "I agree to comply with the requirements of the prescriptive compliance option to the Model Water Efficient

Landscape Ordinance".

2. Incorporate compost at a rate of at least 4 CY per 1,000 SF, to a depth of 6 inches into landscape area (unless contra-indicated by a soil test);

3. Plant material shall comply with all of the following;

a. For residential areas, install climate adapted plants that require occasional, little or no summer water (average WUCOLS plant factor 0.3) for 75 percent of the plant area excluding edibles and areas using recycled water; For non-residential areas, install climate adapted plants that require occasional, little or no summer water (average WUCOLS plant factor 0.3) for 100 percent of the plant area excluding edibles and areas using recycled water;

b. A minimum 3-inch layer of mulch shall be applied on all exposed soil surfaces of planting areas except in turf areas, creeping or rooting groundcovers, or direct seeding applications where mulch is contraindicated.

4. Turf shall comply with all of the following:

a. Turf shall not exceed 25 percent of the landscape area within residential zoning districts, and there shall be no turf allowed within non-residential zoning districts;

b. Turf shall not be planted on sloped areas which exceed a slope of one foot vertical elevation change for every 4 FT of horizontal length;

c. Turf is prohibited in parkways less than 10 feet wide, unless the parkway is adjacent to an off-street parking area, and is used to enter and exit vehicles. Any turf in parkways must be irrigated by sub-surface irrigation or by other technology that creates no overspray or runoff.

5. Irrigation systems shall comply with the following:

a. Automatic irrigation controllers are required and must use evapotranspiration or soil moisture sensor data.

b. Irrigation controllers shall be of a type which does not lose programming date in the event the primary power source is interrupted.

c. Pressure regulators shall be installed on the irrigation system to ensure the dynamic pressure of the system is within the manufacturers recommended pressure range.

d. Manual shut-off valves (such as a gate valve, ball valve, or butterfly valve) shall be installed as close as possible to the point of connection of the water supply.

e. All irrigation emission devices must meet the requirements set in the ANSI standard, ASABE/ICC 802-2014, "Landscape Irrigation Sprinkler and Emitter Standard," All sprinkler heads installed in the landscape must document a distribution uniformity low quarter of 0.65 or higher using the protocol defined in ASABE/ICC 802-2014.

C. At the time of final inspection, the permit applicant must provide the owner of the property with a certificate of completion, certificate of installation, irrigation schedule, and a schedule of landscape and irrigation maintenance.

City of Ontario

Landscape Planning Division

G.01-1: Water Efficient Landscape Worksheet

Reference Evapotranspiration (ETo):

Hydrozone # / Planting Description	Plant Factor (PF)	Irrigation Method ^b	Irrigation Efficiency (IE) ^c	ETAF (PF/IE)	Landscape Area (SF)	ETAF x Area	Estimated Total Water Use (ETWU) ^d
Regular Landscape Areas							
				Totals	(A)	(B)	
Special Landscape Areas							
				1			
				1			
				1			
				Totals	(C)	(D)	
						ETWU Total	
						Maximum Allowed Water Allowance (MAWA) ^e	

Legend:

^a Hydrozone #/Planting Description e.g.: [1] front lawn; [2] low water use plantings; and [3] medium water use planting	^b Irrigation Method overhead spray or drip	^c Irrigation Efficiency 0.75 for spray head 0.81 for drip
^d ETWU (Annual Gallons Required) = $E_{to} \times 0.62 \times ETAF \times Area$ where 0.62 is a conversion factor that converts acre-inches per acre per year to gallons per square foot per year	^e MAWA (Annual Gallons Allowed) = $(E_{to}) / (0.62) [(ETAF \times LA) + ((1-ETAF) \times SLA)]$ where 0.62 is a conversion factor that converts acre-inches per acre per year to gallons per square foot per year, LA is the total landscape area in square feet, SLA is the total special landscape area in square feet, and ETAF is .55 for residential areas and 0.45 for non-residential areas.	

ETAF Calculations:

Regular Landscape Areas

Total ETAF x Area	(B)
Total Area	(A)
Average ETAF	B ÷ A

Average ETAF for Regular Landscape Areas must be 0.55 or below for residential areas, and 0.45 or below for non-residential areas.

All Landscape Areas

Total ETAF x Area	(B+D)
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City of Ontario

Landscape Planning Division

G.01-2: Landscape Architect—Certificate of Compliance

Senior Landscape Planner: 909/395-2237
Associate Landscape Planner: 909/395-2615

Project Name: _____

Project Address _____

Permit No.: _____

The undersigned Landscape Architect certifies that the complete landscape and irrigation installation is in compliance to approved plans. Any deviation to approved plans shall require a re-submittal to the Landscape Planning Division for review and approval prior to installation.

<i>Landscape Architect's Inspection</i>	<i>Date</i>	<i>Initial</i>
1) Hardscape construction complies with approved plan:		
2) Irrigation installation verified: trench, pipe size, pressure test, coverage test:		
3) Irrigation controller chart with landscape maintenance schedule:		
4) Soil report, compaction test and amendments verified with receipt:		
5) Verification of plant material, quantity, and quality:		
6) Verified ET sensor and controller installed and programming set up:		
7) Water Budget: Landscape: SF: _____ MAWA: _____ Gallon/year ETWU = _____ Gallon/year		

After the receipt of this Certification, the Landscape Planner will conduct the final landscape Inspection. The Owner's Representative and Landscape Contractor shall be present.

Landscape Architect (Print)

Company Name

Landscape Architect (Signature)

Address

License Number

Phone Number

City of Ontario

Landscape Planning Division

G.01-3: Recommendations for Vegetated Swales

Hydroseed mix for irrigated and partially irrigated sites with some standing water:

SEED	LBS/ACRE
ACHILLEA MILLEFOLIUM	1.0
ESCHSCHOLZIA CAESPITOSA	1.0
JUNCUS BUFONIUS	1.0
LEYMUS TRITICOIDES RIO	6.0
DESCHAMPSIA CESPITOSA	4.0
FESTUCA RUBRA 'MOLATE'	10.0
HORDEUM BRACHYANTHERUM	6.0
MUHLENBERGIA RIGENS	1.0
MUHLENBERGIA MICROSPERMA	3.0
HORDEUM DEPRESSUM	3.0

Hydroseeding slurry component for slopes from 3:1 to 2:1:

Product	Application Rate
Wood Fiber Mulch	2000 lbs/acre
Binder/Tackifier	200 lbs/acre

Product	Application Rate
Organic fertilizer	800 lbs/acre
Mycorrhizal inoculum	60 lbs/acre

Add to slope rolled erosion control netting product (RECP Netting) 20.6 ounce weight per yd², for landscape areas directly receiving pavement run off.

Shrubs from 1- 5 gallon containers should be approximately planted on the swale side slopes:

FESTUCA IDAHOENSIS — Blue Fescue, 1 FT x 1 FT
 MUHLENBERGIA RIGENS — Deer Grass, 4 FT x 4 FT
 FESTUCA MAIREI — Marie's Fescue, 2 FT x 2 FT
 CAREX PANSA — California meadow sedge, 1 FT x 1 FT
 LEYMUS CONDENSATUS — Canyon Prince, 4 FT x 3 FT
 LEYMUS TRITICOIDES — Creeping Wild Rye, 2 FT x 2 FT

Trees from containers 5 to 15 gallons should be appropriately planted on the top of side slopes:

QUERCUS AGRIFOLIA — COAST LIVE OAK, space 35 FT apart.
 PLATANUS ACERIFOLIA — LONDON PLANE TREE, space 35 FT apart.

Soils with low infiltration rates less than one inch per hour shall:

- Excavate an additional 18 to 36 inches deep, and add engineered soil mix in the swale bottom.
- Provide soil testing to determine additional methods to increase infiltration.

Suitable Bioswale Soil:

- General. Topsoil shall be free of roots, clods, or stones larger than 1-inch in the greatest dimension, pockets of coarse sand, noxious weeds, sticks, lumber, brush and other litter. It shall not be infested with nematodes or other undesirable disease-causing organisms such as insects and plant pathogens or any hazardous materials.

1. Topsoil shall be friable and have sufficient structure in order to give good tilth and aeration to the soil.

2. Gradation limits-soil shall be a sandy loam. Gravel over ¼inch in diameter shall be less than 20 percent by weight.

3. Permeability Rate shall be not less than one inch per hour, nor more than 20 inches per hour.

- Soil Organic Matter Content. The desirable range is 3% to 5%. Sufficient soil organic matter shall be present to impart good physical soil properties but not be excessive to cause toxicity or cause excessive reduction in the volume of soil due to decomposition of organic matter.

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Reference H—Community Climate Action Plan

(The Community Climate Action Plan, adopted by the Ontario City Council on December 16, 2014, by Resolution No. 2014-122, follows this page)

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CITY OF ONTARIO

Agenda Report
January 19, 2016

SECTION:
CONSENT CALENDAR

SUBJECT: A DEVELOPMENT CODE AMENDMENT TO REVISE SECTION 9-1.3176, BILLBOARD RELOCATION AGREEMENTS, TO INCLUDE AN "INTERAGENCY RELOCATION EXCEPTION" TO PERMIT THE RELOCATION OF BILLBOARDS WITHIN THE CITY OF ONTARIO, PROVIDED THE BILLBOARDS MEET CERTAIN LOCATIONAL CRITERIA AND FINDINGS AND INCLUDE THE ELIMINATION OF OTHER BILLBOARDS WITHIN THE CITY

RECOMMENDATION: That the City Council consider and adopt an ordinance approving File No. PDCA15-002, amending Section 9-1.3176, Billboard Relocation Agreements, to include an "Interagency Relocation Exception" to permit the relocation of billboards within the City of Ontario, provided the billboards meet certain locational criteria and findings and include the elimination of other billboards within the City.

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

FISCAL IMPACT: None.

BACKGROUND: On December 15, 2015, the City Council introduced an Ordinance approving a Development Code Amendment. Dating back to the 1980's, the City has prohibited the placement of new billboards. In 2003, the City Council approved provisions for billboard relocation agreements wherein a billboard company could agree to remove two billboards in the City in exchange for the placement of one new billboard. The potential relocation sites were limited to a small portion of the community. Through this process, two new billboards have been constructed at the entry to the Ontario International Airport and four billboards along major arterials were removed.

SANBAG, the regional transportation authority, recently approached the City about the relocation of a billboard to the City from a location outside City limits to facilitate needed freeway interchange

STAFF MEMBER PRESENTING: Scott Murphy, Planning Director

Prepared by: Scott Murphy
Department: Planning

City Manager
Approval: 

Submitted to Council/O.H.A. 01/19/2016

Approved: _____

Continued to: _____

Denied: _____

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improvements. While the City recognizes that billboard acquisition and/or relocation can be a very expensive, the City needed to ensure that there was a benefit to the City. As a result, criteria was established that would allow for an “Interagency Relocation Agreement”, under very specific terms, through the addition of Development Code Section 9-1.376(F)(3)(f) that would read as follows:

- (f) Notwithstanding the foregoing, a billboard may be relocated from outside the City to any location within the City pursuant to an agreement, approved at the discretion of the City Council, between the City and another public agency so long as the following findings can be met:
 - (1) A minimum of six (6) existing, legal nonconforming billboards shall be removed, at least five (5) of which must be currently located within the City.
 - (2) The billboard’s relocation is necessitated by work being performed on the same freeway as the planned new site for the billboard.
 - (3) The public health, safety, and welfare are not impaired by the relocation.

If approved by City Council, the Development Code Amendment would provide the foundation for an agreement to be approved by City Council with another public agency. The agreement would include such things as the identification of the billboards to be removed and the location, height, area, and design of a new billboard pursuant to an Interagency Relocation Agreement,

On November 24, 2015, the Planning Commission conducted a public hearing on the application and unanimously recommended approval of the application. The Planning Commission felt that the removal of at least five billboards from City streets in exchange for one new freeway billboard would have a positive aesthetic impact to the City. The narrow crafting of the ordinance would also limit the number of billboard relocation opportunities.

ENVIRONMENTAL REVIEW: The project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to § 15601(b)(3) (General Rule) of the CEQA Guidelines based on the fact that it is not known whether an interagency billboard relocation agreement will be proposed, where the location of any new relocation might occur, and the total number and locations of billboards proposed for removal as part of such an agreement might be.



PLANNING COMMISSION STAFF REPORT

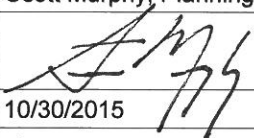
November 24, 2015

SUBJECT: A Development Code Amendment request (File No. PDCA15-002) to amend Section 9-1.3176 (Section 4.02.010 of the Development Code Update), Billboard Relocation Agreements, to include an "Interagency Relocation Exception" to relocate billboards to the City of Ontario, provided the billboards meet certain locational criteria and findings and include the elimination of other billboards within the City; **City Initiated.** City Council action is required.

RECOMMENDED ACTION: That the Planning Commission recommend approval of File No. PDCA15-002 to the City Council, pursuant to the facts and reasons contained in the staff report and attached resolution.

PROJECT ANALYSIS:

- [1] Background — Going back several decades, the City began prohibiting the construction of new billboard signs. In 2003, the City approved an amendment to the Development Code Sign Section that would allow for the construction of a new billboard as part of a billboard relocation agreement. The intent of the billboard relocation agreement was "to reduce the overall number of legal nonconforming billboards within the city by allowing relocated billboards in more suitable locations and provide more attractive, aesthetically pleasing billboard designs through a Billboard Relocation Agreement. A further purpose is to reduce or eliminate the City's obligation to pay compensation for the removal of legal nonconforming billboards. Billboard Relocation Agreements are part of the demonstrated commitment of the City of Ontario to improve the aesthetic appearance of the City. The consideration and execution of Billboard Relocation Agreements shall be at the sole discretion of the City of Ontario." The provisions require the removal of at least two existing billboards for every new, relocated billboard sign. Since adoption of the billboard relocation agreement provisions, one agreement has been approved, facilitating the construction of the billboards on Archibald Avenue at the entry to Ontario International Airport.
- [2] Analysis: — Recently, the City has been involved in several discussions with SANBAG, the regional transportation planning agency (of which the City is a part), regarding the relocation of billboards necessary to complete freeway improvement projects. Because most cities in the region prohibit new billboards, the ability to relocate billboards is minimal. In cases where billboards cannot be relocated, SANBAG is placed in a position of having to purchase the billboard and compensate the billboard companies for lost revenue potential – these costs can be substantial.

Case Planner:	Scott Murphy, Planning Director	Hearing Body	Date	Decision	Action
Planning Director Approval:		DAB			
Submittal Date:	10/30/2015	ZA			
Hearing Deadline:	n/a	PC	11/24/15	Approved	Recommend
		CC			Final

SANBAG is placed in a position of having to purchase the billboard and compensate the billboard companies for lost revenue potential – these costs can be substantial. To assist SANBAG and other public agencies in relocating billboards, the staff is proposing to provide an amendment to the billboard relocation agreement that would allow billboards to be relocated within the City, under very specific criteria, through an “Interagency Relocation Exception” added to Section 9-1.3176(F)(3)(f) [Development Code Update Section 4.02.010(D)(2)(f)]. The exception would read:

Notwithstanding the foregoing, a billboard may be relocated from outside the City to any location within the City pursuant to an agreement, approved at the discretion of the City Council, between the City and another public agency so long as the following findings can be met:

[1] A minimum of six (6) existing, legal nonconforming billboards shall be removed, at least five (5) of which must be currently located within the City.

a. *Staff comment: This provision would have a direct benefit to the City in the removal of at least five billboards in exchange for allowing one billboard to be relocated into the City. This will have a positive effect of removing billboards from major arterials within the City.*

[2] The billboard’s relocation is necessitated by work being performed on the same freeway as the planned new site for the billboard.

a. *Staff comment: This will provide for a sign relocation only when freeway improvements necessitate relocation of a sign and provide a relocation on the same freeway for which the improvements are being performed. For example, a sign on Interstate 10 would have to be relocated to a location along Interstate 10 – it could not be relocated to Interstate 15 or State Route 60.*

[3] The public health, safety, and welfare are not impaired by the relocation.

COMPLIANCE WITH THE ONTARIO PLAN: The proposed project is consistent with the principles, goals and policies contained within the Vision, Governance, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan (TOP). More specifically, the goals and policies of TOP that are furthered by the proposed project are as follows:

[1] City Council Priorities

Primary Goal: Regain Local Control of the Ontario International Airport

Supporting Goals:

- Invest in the Growth and Evolution of the City's Economy
- Operate in a Businesslike Manner

[2] Policy Plan (General Plan)

[a] *Land Use – Compatibility*

- Goal LU2: Compatibility between wide ranges of uses.

➤ LU2-5 *Regulation of Uses*. We regulate the location, concentration and operations of uses that have impacts on surrounding land uses.

➤ LU2-7 *Inter-jurisdictional Coordination*. We maintain an ongoing liaison with IEUA, LAWA, Caltrans, Public Utilities Commission, the railroads and other agencies to help minimize impacts and improve the operations and aesthetics of their facilities.

[b] *Land Use – Flexibility*

- Goal LU3: Staff, regulations and processes that support and allow flexible response to conditions and circumstances in order to achieve the Vision.

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

ENVIRONMENTAL REVIEW: The project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to § 15601(b)(3) (General Rule) of the CEQA Guidelines based on the fact that it is not known whether an interagency billboard relocation agreement will be proposed, where the location of any new relocation might occur, and the total number and locations of billboards proposed for removal as part of such an agreement might be.

RESOLUTION NO. PC15-066

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ONTARIO, CALIFORNIA, RECOMMENDING THAT THE CITY COUNCIL APPROVE FILE NO. PDCA15-002, A REQUEST TO AMEND SECTION 9-1.3176 (SECTION 4.02.010 OF THE DEVELOPMENT CODE UPDATE), BILLBOARD RELOCATION AGREEMENTS, TO INCLUDE AN "INTERAGENCY RELOCATION EXCEPTION" TO RELOCATE BILLBOARDS TO THE CITY OF ONTARIO, PROVIDED THE BILLBOARDS MEET CERTAIN LOCATIONAL CRITERIA AND FINDINGS AND INCLUDE THE ELIMINATION OF OTHER BILLBOARDS WITHIN THE CITY

WHEREAS, THE CITY OF ONTARIO ("Applicant") has initiated an Application for the approval of a revision to Development Code, File No. PDCA15-002, as described in the title of this Resolution (hereinafter referred to as "Application" or "Project"); and

WHEREAS, in 2003, the City recognized the benefit of allowing billboard relocations as a method of achieving an overall reduction in the number of billboards within the City; and

WHEREAS, public agencies occasionally encounter the need to remove a billboard in order to complete necessary public infrastructure; and

WHEREAS, the removal of billboards in order to install necessary infrastructure improvements can be very costly when considering the anticipated future revenue of a billboard; and

WHEREAS, the City understands the public benefit in reducing the costs of public infrastructure; and

WHEREAS, the City recognizes an opportunity to reduce public infrastructure costs while, at the same time, reducing the overall number of billboards located within the City; and

WHEREAS, 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) for ONT; and

WHEREAS, the Application is a project pursuant to the California Environmental Quality Act (Public Resources Code Section 21000 et seq.) ("CEQA") and an initial study has been prepared to determine possible environmental impacts; and

WHEREAS, the Application is exempt from the requirements of CEQA pursuant to Section 15601(b)(3) (General Rule) based on the fact that it is not known whether an interagency billboard relocation agreement will be proposed, where the location of any new relocation might occur, and the total number and locations of billboards proposed for removal as part of such an agreement might be.; and

WHEREAS, on November 24, 2015, the Planning Commission 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 Planning Commission of the City of Ontario, as follows:

SECTION 1. As the recommending body for the Project, the Planning Commission has reviewed and considered the information contained in the administrative record for the Project. Based upon the facts and information contained in the administrative record, including all written and oral evidence presented to the Planning Commission, the Planning Commission finds as follows:

- a. The Project is exempt from environmental review pursuant to Section 15601(b)(3) (General Rule) of the CEQA Guidelines; and
- b. The application of the categorical exemption is not barred by one of the exceptions set forth in CEQA Guidelines Section 15300.2; and
- c. The determination of CEQA exemption reflects the independent judgment of the Planning Commission.

SECTION 2. Based upon the substantial evidence presented to the Planning Commission during the above-referenced hearing and upon the specific findings set forth in Section 1 above, the Planning Commission hereby concludes as follows:

- a. The proposed Development Code Amendment is consistent with the goals, policies, plans and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan; and
- b. The proposed Development Code Amendment is consistent with the goals and policies of the Development Code; and

c. The proposed Development Code Amendment would not be detrimental to the public interest, health, safety, convenience, or general welfare of the City.

SECTION 3. Based upon the findings and conclusions set forth in Sections 1 and 2 above, the Planning Commission hereby **recommends City Council approval** of the amendment to Development Code adding Section 9-1.3176(F)(3)(f) (Section 4.02.010(D)(2)(f) of the Development Code Update) to read as follows:


- (f) Interagency Relocation Exception. Notwithstanding the foregoing, a billboard may be relocated from outside the City to any location within the City pursuant to an agreement, approved at the discretion of the City Council, between the City and another public agency so long as the following findings can be met:
- (1) A minimum of six (6) existing, legal nonconforming billboards shall be removed, at least five (5) of which must be currently located within the City.
 - (2) The billboard's relocation is necessitated by work being performed on the same freeway as the planned new site for the billboard.
 - (3) The public health, safety, and welfare are not impaired by the relocation.

SECTION 4. 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 5. The Secretary shall certify to the adoption of the Resolution.


The Secretary Pro Tempore for the Planning Commission of the City of Ontario shall certify as to the adoption of this Resolution.

I hereby certify that the foregoing Resolution was duly and regularly introduced, passed and adopted by the Planning Commission of the City of Ontario at a regular meeting thereof held on the 24th day of November 2015, and the foregoing is a full, true and correct copy of said Resolution, and has not been amended or repealed.



Jim Willoughby
Planning Commission Chairman

ATTEST:



Scott Murphy
Planning Director/Secretary of Planning
Commission

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


I, Marci Callejo, Secretary Pro Tempore of the Planning Commission of the City of Ontario, DO HEREBY CERTIFY that foregoing Resolution No. PC15-066 was duly passed and adopted by the Planning Commission of the City of Ontario at their regular meeting held on November 24, 2015 by the following roll call vote, to wit:

AYES: Delman, Downs, Gage, Gregorek, Mautz, Ricci, Willoughby

NOES: None

ABSENT: None

ABSTAIN: None



Marci Callejo
Secretary Pro Tempore

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING FILE NO. PDCA15-002, A REQUEST TO AMEND SECTION 9-1.3176 (SECTION 4.02.010 OF THE DEVELOPMENT CODE UPDATE), BILLBOARD RELOCATION AGREEMENTS, TO INCLUDE AN "INTERAGENCY RELOCATION EXCEPTION" TO RELOCATE BILLBOARDS TO THE CITY OF ONTARIO, PROVIDED THE BILLBOARDS MEET CERTAIN LOCATIONAL CRITERIA AND FINDINGS AND INCLUDE THE ELIMINATION OF OTHER BILLBOARDS WITHIN THE CITY.

WHEREAS, THE CITY OF ONTARIO ("Applicant") has initiated an Application for the approval of a revision to Development Code, File No. PDCA15-002, as described in the title of this Resolution (hereinafter referred to as "Application" or "Project"); and

WHEREAS, in 2003, the City recognized the benefit of allowing billboard relocations as a method of achieving an overall reduction in the number of billboards within the City; and

WHEREAS, public agencies occasionally encounter the need to remove a billboard in order to complete necessary public infrastructure; and

WHEREAS, the removal of billboards in order to install necessary infrastructure improvements can be very costly when considering the anticipated future revenue of a billboard; and

WHEREAS, the City understands the public benefit in reducing the costs of public infrastructure; and

WHEREAS, the City recognizes an opportunity to reduce public infrastructure costs while, at the same time, reducing the overall number of billboards located within the City; and

WHEREAS, 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) for ONT; and

WHEREAS, the Application is a project pursuant to the California Environmental Quality Act (Public Resources Code Section 21000 et seq.) ("CEQA") and an initial study has been prepared to determine possible environmental impacts; and

WHEREAS, the Application is exempt from the requirements of CEQA pursuant to Section 15601(b)(3) (General Rule) based on the fact that it is not known whether an interagency billboard relocation agreement will be proposed, where the location of any new relocation might occur, and the total number and locations of billboards proposed for removal as part of such an agreement might be.; and

WHEREAS, on November 24, 2015, the Planning Commission of the City of Ontario conducted a hearing to consider the Project, and concluded said hearing on that date. After considering all public testimony, the Planning Commission adopted their Resolution No. PC15-066, unanimously recommending approval of the project; and

WHEREAS, on December 15, 2015, the City Council of the City of Ontario conducted a public hearing 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 ORDAINED by the City Council of the City of Ontario, as follows:

SECTION 1. As the approval body for the Project, the City Council has reviewed and considered the information contained in the administrative record for the Project. Based upon the facts and information contained in the administrative record, including all written and oral evidence presented to the City Council, the City Council finds as follows:

- a. The Project is exempt from environmental review pursuant to Section 15601(b)(3) (General Rule) of the CEQA Guidelines; and
- b. The application of the categorical exemption is not barred by one of the exceptions set forth in CEQA Guidelines Section 15300.2; and
- c. The determination of CEQA exemption reflects the independent judgment of the City Council.

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

SECTION 3. Based upon the findings and conclusions set forth in Sections 1 and 2 above, the City Council hereby approves the amendment to Development Code adding Section 9-1.3176(F)(3)(f) (Section 4.02.010(D)(2)(f) of the Development Code Update) to read as follows:

(f) Interagency Relocation Exception. Notwithstanding the foregoing, a billboard may be relocated from outside the City to any location within the City pursuant to an agreement, approved at the discretion of the City Council, between the City and another public agency so long as the following findings can be met:

(1) A minimum of six (6) existing, legal nonconforming billboards shall be removed, at least five (5) of which must be currently located within the City.

(2) The billboard's relocation is necessitated by work being performed on the same freeway as the planned new site for the billboard.

(3) The public health, safety, and welfare are not impaired by the relocation.

SECTION 4. If any section, subsection, paragraph, sentence, clause or phrase of this ordinance is for any reason held to be invalid, unconstitutional or otherwise struck-down by a court of competent jobs, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council hereby declares that it would have adopted this ordinance and each section, subsection, paragraph, sentence, clause or phrase thereof, irrespective of the fact that any one or more portions of this ordinance might be declared invalid.

SECTION 5. 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 6. Custodian of Records. The documents and materials that constitute the record of proceedings on which these findings have been based are located at the City of Ontario City Hall, 303 East "B" Street, Ontario, California 91764. The custodian for these records is the City Clerk of the City of Ontario.

SECTION 7. Severability. If any section, sentence, clause or phrase of this Ordinance or the application thereof to any entity, person or circumstance is held for any reason to be invalid or unconstitutional, such invalidity or unconstitutionality shall not affect other provisions or applications of this Ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are severable. The People of the City of Ontario hereby declare that they would have adopted this Ordinance and each section, sentence, clause or phrase thereof, irrespective of the fact that any one or more section, subsections, sentences, clauses or phrases be declared invalid or unconstitutional.

SECTION 8. Effective Date. This Ordinance shall become effective 30 days following its adoption.

SECTION 9. The Mayor shall sign this Ordinance and the City Clerk shall certify as to the adoption and shall cause a summary thereof to be published at least once, in a newspaper of general circulation in the City of Ontario, California within 15 days of the adoption. The City Clerk shall post a certified copy of this ordinance, including the vote for and against the same, in the Office of the City Clerk, in accordance with Government Code Section 36933.

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

PAUL S. LEON, MAYOR

ATTEST:

VICKI KASAD, MMC, ASSISTANT CITY CLERK

APPROVED AS TO FORM:

BEST BEST & KRIEGER LLP
CITY ATTORNEY

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

I, VICKI KASAD, Assistant City Clerk of the City of Ontario, DO HEREBY CERTIFY that foregoing Ordinance No. 3037 was duly introduced at a regular meeting of the City Council of the City of Ontario held December 15, 2015 and adopted at the regular meeting held January 19, 2016 by the following roll call vote, to wit:

AYES: COUNCIL MEMBERS:

NOES: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

VICKI KASAD, MMC, ASSISTANT CITY CLERK

(SEAL)

I hereby certify that the foregoing is the original of Ordinance No. 3037 duly passed and adopted by the Ontario City Council at their regular meeting held January 19, 2016 and that Summaries of the Ordinance were published on December 23, 2015 and January 26, 2016, in the Inland Valley Daily Bulletin newspaper.

VICKI KASAD, MMC, ASSISTANT CITY CLERK

(SEAL)

CITY OF ONTARIO

Agenda Report
January 19, 2016

SECTION:
CONSENT CALENDAR

SUBJECT: EVERY 15 MINUTES GRANT PROGRAM FROM THE DEPARTMENT OF CALIFORNIA HIGHWAY PATROL

RECOMMENDATION: That the City Council authorize the acceptance of grant funds in the amount up to \$6,000 for the Every 15 Minutes Grant Program from the Department of California Highway Patrol.

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

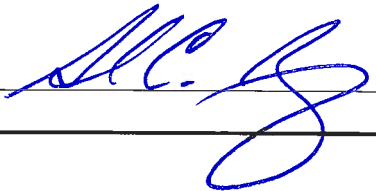
FISCAL IMPACT: In October 2015, the Department of California Highway Patrol (CHP) invited the Ontario Police Department to apply for participation in the Every 15 Minutes Program. CHP will provide reimbursement of materials, supplies, motivational speakers, lodging costs and transportation as needed to implement a successful program. The approximate grant funding reimbursement is \$6,000. The City is not required to provide matching funds for the grants. Appropriations for this program will be included in the Fiscal Year 2015-16 Mid-Year Budget Report.

BACKGROUND: The Every 15 Minutes Program is a nationwide program dedicated to raising awareness of high school students about the dangers of drinking and driving. The program's name was derived from the fact that every fifteen minutes someone in the United States dies in an alcohol-related traffic collision.

This program has been successful over the past eleven years in Ontario's public high schools. Using these grant funds, the Every 15 Minute Program will be conducted at Colony High School on April 4-5, 2016.

The two-day event will include demonstrations of automobile extrication, rescue, and victim medical treatment. The program challenges high school juniors and seniors to think about the consequences of drinking/distracted driving, personal safety and the responsibility of making mature decisions. The

STAFF MEMBER PRESENTING: Brad Kaylor, Chief of Police

Prepared by: Donna Bailey
Department: Police
City Manager
Approval: 

Submitted to Council/O.H.A. 01/19/2016
Approved: _____
Continued to: _____
Denied: _____

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Police Department is one of many agencies participating in this event. Other agencies invited include the Ontario Fire Department, American Medical Response, CHP, Coroner's Office, District Attorney's Office, local hospitals, and various civic and business entities.

CITY OF ONTARIO

Agenda Report
January 19, 2016

SECTION: PUBLIC HEARINGS

SUBJECT: A PUBLIC HEARING TO CONSIDER A RESOLUTION REGARDING THE FORMATION OF CITY OF ONTARIO COMMUNITY FACILITIES DISTRICT NO. 36 (EUCALYPTUS 190); INTRODUCTION OF AN ORDINANCE LEVYING SPECIAL TAXES; AND ADOPTION OF A RESOLUTION TO INCUR BONDED INDEBTEDNESS

RECOMMENDATION: That the City Council:

- (A) Adopt a resolution establishing Community Facilities District No. 36 (Eucalyptus 190), authorizing the levy of special taxes within the community facilities district, and establishing an appropriations limit for the community facilities district;
- (B) Adopt a resolution deeming it necessary to incur bonded indebtedness within Community Facilities District No. 36 (Eucalyptus 190);
- (C) Adopt a resolution calling a special election for City of Ontario Community Facilities District No. 36 (Eucalyptus 190);
- (D) Adopt a resolution declaring the results of the special election and directing the recording of a Notice of Special Tax Lien;
- (E) Introduce and waive further reading of an ordinance levying special taxes within City of Ontario Community Facilities District No. 36 (Eucalyptus 190); and
- (F) Adopt a resolution authorizing the execution and delivery of an acquisition and funding agreement with Richland Ontario Developers, LLC, a Delaware Limited Liability Company.

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

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. 01/19/2016

Approved: _____

Continued to: _____

Denied: _____

14

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 Eucalyptus 190 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 \$275,000 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: 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. On December 1, 2015, the City Council approved Resolution No. 2015-131, a Resolution of Intention to establish City of Ontario Community Facilities District No. 36 (Eucalyptus 190) and authorize the levy of special taxes, and Resolution No. 2015-132, 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 January 19, 2016 to consider formation matters.

In the First Amended and Restated Agreement for the Financing and Construction of Limited Infrastructure Improvements to Serve an Easterly Portion of the New Model Colony (“First Amended and Restated Construction Agreement”) between the City and NMC Builders, LLC, the City agreed to cooperate with the members of NMC Builders, LLC in the formation of community facilities districts to assist in the financing of the public improvements included in the agreement. Warm Springs NMC, LLC, a member of NMC Builders, LLC., has provided a written petition to the City requesting formation of a community facilities district for the Eucalyptus 190 project in Ontario Ranch, which will be developed by Warm Springs NMC, LLC. The Eucalyptus 190 project addresses the development of approximately 40 gross acres located generally east of Archibald Avenue, west of Park Place Avenue, south of Eucalyptus Avenue and north of Parkview Street. At build out, the development is projected to include 190 detached units.

Included, as part of the Resolution of Formation, is the Rate and Method of Apportionment of Special Tax for City of Ontario Community Facilities District No. 36 (Eucalyptus 190). The terms of the Rate and Method of Apportionment of Special Tax are consistent with the City Council’s adopted Mello-Roos Local Goals and Policies in all aspects. The CFD is being formed pursuant to the provisions of the Warm Springs NMC, LLC Development Agreement, and the First Amended and Restated Construction Agreement between the City and NMC Builders.

Under the proposed Rate and Method of Apportionment, **the portion of the maximum annual special tax rates which will be used to fund debt service payments on the bonds is fixed and will not increase over time.** The amount of bonds authorized (\$21 million) under the proposed resolution of formation is set intentionally higher than the current proposed bond amount (approximately \$6 million) in order to allow future City Councils the option, without increasing the amount of the annual special taxes, to issue additional bonds to replace and/or construct new public infrastructure improvements in the future, or to fund City services. The term and structure of the rate and method of apportionment of Special Tax for the Eucalyptus 190 project is consistent with those of the previously adopted Rates and Methods of Apportionment for Ontario Ranch community facilities districts. This will ensure that the

special tax rates levied on all residential property owners in community facilities districts in Ontario Ranch be developed in a consistent and equivalent manner. In addition, under the provisions of the Mello-Roos Act, to ensure that home buyers are making an informed decision, all residential builders in the Ontario Ranch community facilities districts will be required to disclose the maximum annual special tax amount to each homeowner before entering into a sales contract.

Attached are five resolutions and an ordinance. The first resolution establishes the CFD, with the rate and method of apportionment of special taxes, and authorizes the levy of special taxes within the District. The second resolution deems the necessity of incurring bonded indebtedness. The third calls for a special landowner election to be held on January 19, 2016. The fourth resolution declares the results of the election, including a statement from the City Clerk as to the canvass of ballots, and directs the recording of the Notice of Special Tax Lien. The ordinance authorizes the levying of special taxes, and the final resolution authorizes the execution and delivery of an acquisition and funding agreement with Richland Ontario Developers, LLC.

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, OF FORMATION OF THE CITY OF ONTARIO COMMUNITY FACILITIES DISTRICT NO. 36 (EUCALYPTUS 190), AUTHORIZING THE LEVY OF A SPECIAL TAX WITHIN THE COMMUNITY FACILITIES DISTRICT AND ESTABLISHING AN APPROPRIATIONS LIMIT FOR THE COMMUNITY FACILITIES DISTRICT.

WHEREAS, on December 1, 2015, 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. 36 (Eucalyptus 190), and to Authorize the Levy of Special Taxes" (the "Resolution of Intention"), stating its intention to establish a community facilities district (the "Community Facilities District") proposed to be named City of Ontario Community Facilities District No. 36 (Eucalyptus 190), to authorize the levy of special taxes within the Community Facilities District to finance certain public facilities and services and setting the date for a public hearing to be held on the establishment of the Community Facilities District; and

WHEREAS, pursuant to the Resolution of Intention, notice of said public hearing was published in the *Inland Valley Daily Bulletin*, a newspaper of general circulation published in the area of the Community Facilities District, in accordance with the Act; and

WHEREAS, on this date, the City Council opened, conducted and closed said public hearing; and

WHEREAS, pursuant to the Resolution of Intention, each officer of the City who is or will be responsible for providing one or more of the proposed types of public facilities or services was directed to study, or cause to be studied, the proposed Community Facilities District and, at or before said public hearing, file a report with the City Council containing a brief description of the public facilities and services by type that will in his or her opinion be required to adequately meet the needs of the Community Facilities District, and his or her estimate of the cost of providing such public facilities and services; such officers were also directed to estimate the fair and reasonable cost of the public facilities proposed to be purchased as completed public facilities and of the incidental expenses proposed to be paid; and

WHEREAS, said report was so filed with the City Council and made a part of the record of said public hearing; and

WHEREAS, at the hearing, the testimony of all persons for or against the establishment of the Community Facilities District, the extent of the Community Facilities District and the furnishing of the specified types of public facilities and services was heard; and

WHEREAS, written protests against the establishment of the Community Facilities District, the furnishing of any specified type or types of facilities and services within the Community Facilities District or the levying of any specified special tax were not made or filed at or before said hearing by 50% or more of the registered voters, or six registered voters, whichever is more, residing within the territory proposed to be included in the Community Facilities District, or the owners of one-half or more of the area of land in the territory proposed to be included in the Community Facilities District and not exempt from the special tax; and

WHEREAS, there has been filed with the City Clerk of the City a letter from the Registrar of Voters of the County of San Bernardino indicating that no persons were registered to vote within the territory of the proposed Community Facilities District as of December 17, 2015, and, accordingly, that 12 or more persons have not been registered to vote within the territory of the proposed Community Facilities District for each of the 90 days preceding the close of said public hearing; and

WHEREAS, Section 53314.9 of the Act provides that, at any time either before or after the formation of a community facilities district, the legislative body may accept advances of funds from any source, including, but not limited to, private persons or private entities and may provide, by resolution, for the use of those funds for any authorized purpose, including, but not limited to, paying any cost incurred by the local agency in creating a community facilities district; and

WHEREAS, Section 53314.9 of the Act further provides that the legislative body may enter into an agreement, by resolution, with the person or entity advancing the funds, to repay all or a portion of the funds advanced, as determined by the legislative body, with or without interest, under all the following conditions: (a) the proposal to repay the funds is included in both the resolution of intention to establish a community facilities district adopted pursuant to Section 53521 of the Act and in the resolution of formation to establish a community facilities district pursuant to Section 53325.1 of the Act, (b) any proposed special tax is approved by the qualified electors of the community facilities district pursuant to the Act, and (c) any agreement shall specify that if the qualified electors of the community facilities district do not approve the proposed special tax, the local agency shall return any funds which have not been committed for any authorized purpose by the time of the election to the person or entity advancing the funds; and

WHEREAS, the City and Warm Springs NMC, LLC, a Florida limited liability company (the "Landowner") entered into a Deposit and Reimbursement Agreement, dated as of December 1, 2015 (the "Deposit Agreement"), that provides for the advancement of funds by the Landowner to be used to pay costs incurred in connection with the establishment of the Community Facilities District and the issuance of special tax bonds thereby, and provides for the reimbursement to the Landowner of such funds advanced, without interest, from the proceeds of any such bonds issued by the Community Facilities District; and

WHEREAS, in accordance with Section 53314.9 of the Act, the City desires to accept such advances and to reimburse the Landowner therefor, without interest, from the proceeds of special tax bonds issued by the Community Facilities District.

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

SECTION 1. The foregoing recitals are true and correct.

SECTION 2. The Community Facilities District is hereby established pursuant to the Act.

SECTION 3. The Community Facilities District is hereby named "City of Ontario Community Facilities District No. 36 (Eucalyptus 190)."

SECTION 4. The public facilities (the "Facilities") proposed to be financed by the Community Facilities District pursuant to the Act are described under the caption "Facilities" on Exhibit A hereto, which is by this reference incorporated herein. Those Facilities proposed to be purchased as completed public facilities are described under the caption "Facilities to be Purchased" on Exhibit A hereto. The services (the "Services") proposed to be financed by the Community Facilities District pursuant to the Act are described under the caption "Services" on Exhibit A hereto. The incidental expenses proposed to be incurred are identified under the caption "Incidental Expenses" on Exhibit A hereto. All or any portion of the Facilities may be financed through a financing plan, including, but not limited to, a lease, lease-purchase or installment-purchase arrangement.

SECTION 5. The proposed special tax to be levied within the Community Facilities District has not been precluded by majority protest pursuant to Section 53324 of the Act.

SECTION 6. Except where funds are otherwise available, a special tax sufficient to pay for all Facilities and Services, secured by recordation of a continuing lien against all nonexempt real property in the Community Facilities District, will be annually levied within the Community Facilities District. The rate and method of apportionment of the special tax (the "Rate and Method"), in sufficient detail to allow each landowner within the proposed Community Facilities District to estimate the maximum amount that he or she will have to pay, is described in Exhibit B attached hereto, which is by this reference incorporated herein. The conditions under which the obligation to pay the special tax to pay for Facilities may be prepaid and permanently satisfied are specified in the Rate and Method. The special tax will be collected in the same manner as ordinary *ad valorem* property taxes or in such other manner as the City Council shall determine, including direct billing of the affected property owners.

SECTION 7. The special tax may only finance the Services to the extent that they are in addition to those provided in the territory of the Community Facilities District before the Community Facilities District is created. The Services may not supplant services already available within that territory when the Community Facilities District is created.

SECTION 8. The tax year after which no further special tax to pay for Facilities will be levied against any parcel used for private residential purposes is specified in the Rate and Method. Under no circumstances shall the special tax to pay

for Facilities in any fiscal year against any parcel used for private residential purposes be increased as a consequence of delinquency or default by the owner or owners of any other parcel or parcels within the Community Facilities District by more than 10% above the amount that would have been levied in that fiscal year had there never been any such delinquencies or defaults. For purposes of this paragraph, a parcel shall be considered "used for private residential purposes" not later than the date on which an occupancy permit for private residential use is issued.

SECTION 9. Pursuant to Section 53344.1 of the Act, the City Council hereby reserves to itself the right and authority to allow any interested owner of property within the Community Facilities District, subject to the provisions of said Section 53344.1 and to those conditions as it may impose, and any applicable prepayment penalties as prescribed in the bond indenture or comparable instrument or document, to tender to the Community Facilities District treasurer in full payment or part payment of any installment of the special taxes or the interest or penalties thereon which may be due or delinquent, but for which a bill has been received, any bond or other obligation secured thereby, the bond or other obligation to be taken at par and credit to be given for the accrued interest shown thereby computed to the date of tender.

SECTION 10. The name, address and telephone number of the office that will be responsible for preparing annually a current roll of special tax levy obligations by assessor's parcel number and that will be responsible for estimating further special tax levies pursuant to Section 53340.2 of the Act are as follows: Management Analyst, Management Services, City of Ontario, 303 East B Street, Ontario, California 91764, (909) 395-2341.

SECTION 11. Upon recordation of a notice of special tax lien pursuant to Section 3114.5 of the California Streets and Highways Code, a continuing lien to secure each levy of the special tax shall attach to all nonexempt real property in the Community Facilities District and this lien shall continue in force and effect until the special tax obligation is prepaid and permanently satisfied and the lien canceled in accordance with law or until collection of the tax by the City Council ceases.

SECTION 12. The boundary map of the Community Facilities District has been recorded in San Bernardino County in Book 87 at Page 4 of Maps of Assessments and Community Facilities Districts in the San Bernardino County Recorder's Office (Document No. 2015-0541199).

SECTION 13. The annual appropriations limit, as defined by subdivision (h) of Section 8 of Article XIII B of the California Constitution, of the Community Facilities District is hereby established at \$21,000,000.

SECTION 14. Pursuant to the provisions of the Act, the levy of the special tax and a proposition to establish the appropriations limit specified above shall be subject to the approval of the qualified electors of the Community Facilities District at a special election. The City Council hereby finds and determines that no persons were registered to vote within the territory of the proposed Community Facilities District as of December 17, 2015, and that 12 or more persons have not been registered to vote within the territory of the Community Facilities District for each of the 90 days preceding

the close of the public hearing held by the City Council on the establishment of the Community Facilities District. Accordingly, pursuant to Section 53326 of the Act, the vote shall be by the landowners of the Community Facilities District and each person who is the owner of land as of the close of said public hearings, or the authorized representative thereof, shall have one vote for each acre or portion of an acre that he or she owns within the Community Facilities District not exempt from the special tax. The voting procedure shall be by mailed or hand-delivered ballot.

SECTION 15. The Landowner has heretofore advanced certain funds, and may advance additional funds, which have been or may be used to pay costs incurred in connection with the creation of the Community Facilities District and the issuance of special tax bonds thereby. The City Council has previously approved the acceptance of such funds for the purpose of paying costs incurred in connection with the creation of the Community Facilities District and the issuance of special tax bonds thereby. The City Council proposes to repay all or a portion of such funds expended for such purpose, solely from the proceeds of such bonds, pursuant to the Deposit Agreement. The Deposit Agreement is hereby incorporated herein as though set forth in full herein.

SECTION 16. The City Council hereby finds and determines that all proceedings up to and including the adoption of this Resolution were valid and in conformity with the requirements of the Act. In accordance with Section 53325.1 of the Act, such finding shall be final and conclusive.

SECTION 17. The officers, employees and agents of the City are hereby authorized and directed to take all actions and do all things which they, or any of them, may deem necessary or desirable to accomplish the purposes of this Resolution and not inconsistent with the provisions hereof.

SECTION 18. This Resolution shall take effect immediately upon its adoption.

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

PASSED, APPROVED and ADOPTED this 19th day of January, 2016.

PAUL S. LEON, MAYOR

ATTEST:

VICKI KASAD, MMC, ASSISTANT CITY CLERK

APPROVED AS TO LEGAL FORM:

BEST BEST & KRIEGER LLP
CITY ATTORNEY

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

I, VICKI KASAD, Assistant 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 January 19, 2016 by the following roll call vote, to wit:

AYES: COUNCIL MEMBERS:

NOES: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

VICKI KASAD, MMC, ASSISTANT 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 January 19, 2016.

VICKI KASAD, MMC, ASSISTANT CITY CLERK

(SEAL)

EXHIBIT A

FACILITIES, SERVICES AND INCIDENTAL EXPENSES

Facilities

The types of facilities to be financed by the Community Facilities District are street and bridge improvements, including grading, paving, curbs and gutters, sidewalks, street signalization and signage, street lights and parkway and landscaping related thereto, domestic and recycled water distribution facilities, sewer collection facilities, solid waste facilities, storm drainage facilities, park and recreation facilities and equipment, aquatic facilities and equipment, fire facilities and equipment, police facilities and equipment, library facilities and equipment, fiber optic telecommunication system facilities, general governmental office, administrative and meeting facilities, and land, rights-of-way and easements necessary for any of such facilities.

Facilities to be Purchased

The types of facilities to be purchased as completed facilities are street and bridge improvements, including grading, paving, curbs and gutters, sidewalks, street signalization and signage, street lights and parkway and landscaping related thereto, domestic and recycled water distribution facilities, sewer collection facilities, solid waste facilities, storm drainage facilities, park and recreation facilities and equipment, aquatic facilities and equipment, fire facilities and equipment, police facilities and equipment, library facilities and equipment, fiber optic telecommunication system facilities, general governmental office, administrative and meeting facilities, and land, rights-of-way and easements necessary for any of such facilities.

Services

The types of services to be financed by the Community Facilities District are police protection services, fire protection and suppression services, ambulance and paramedic services, maintenance and lighting of parks, parkways, streets, roads and open space, flood and storm protection services and maintenance and operation of any real property or other tangible property with an estimated useful life of five or more years that is owned by the City.

Incidental Expenses

The incidental expenses proposed to be incurred include the following:

- (a) the cost of planning and designing public facilities to be financed, including the cost of environmental evaluations of those facilities;
- (b) the costs associated with the creation of the Community Facilities District, issuance of bonds, determination of the amount of taxes, collection of taxes, payment of taxes, or costs otherwise incurred in order to carry out the authorized purposes of the Community Facilities District; and
- (c) any other expenses incidental to the construction, completion, and inspection of the authorized work.

EXHIBIT B

PROPOSED RATE AND METHOD OF APPORTIONMENT OF SPECIAL TAX

EXHIBIT B

CITY OF ONTARIO COMMUNITY FACILITIES DISTRICT NO. 36 (EUCALYPTUS 190)

RATE AND METHOD OF APPORTIONMENT OF SPECIAL TAX

Special Taxes shall be levied on Assessor's Parcels of Taxable Property in the City of Ontario Community Facilities District No. 36 (Eucalyptus 190) ("CFD No. 36") and collected each Fiscal Year, commencing in Fiscal Year 2016-17, in an amount determined by the City Council of the City of Ontario through the application of the Rate and Method of Apportionment, as described below. The real property in CFD No. 36, unless exempted by law or by the provisions hereof, shall be taxed for the purposes, to the extent, and in the manner herein provided.

A. DEFINITIONS

The terms hereinafter set forth have the following meanings:

"Acre" or "Acreage" means the land area of an Assessor's Parcel as shown on an Assessor's Parcel Map, or if the land area is not shown on an Assessor's Parcel Map, the land area shown on the applicable Final Subdivision Map, parcel map, condominium plan, or other recorded County map.

"Act" means the Mello-Roos Community Facilities Act of 1982, as amended, being Chapter 2.5, Division 2 of Title 5 of the California Government Code.

"Administrative Expenses" means the following actual or reasonably estimated costs directly related to the administration of CFD No. 36: the costs of computing the Special Taxes and preparing the annual Special Tax collection schedules (whether by the City or CFD No. 36 or both); the costs of collecting the Special Taxes (whether by the County or otherwise); the costs of remitting the Special Taxes to the Trustee; the costs of the Trustee (including its legal counsel) in the discharge of the duties required of it under the Indenture; the costs to the City or CFD No. 36 of complying with arbitrage rebate requirements; the costs to the City or CFD No. 36 of complying with City, CFD No. 36, or obligated persons disclosure requirements associated with applicable federal and state securities laws and of the Act; the costs associated with preparing Special Tax disclosure statements and responding to public inquiries regarding the Special Taxes; the costs of the City or CFD No. 36 related to the analysis and reduction, if any, of the Special Tax A on Single Family Detached Property in accordance with Section C.1 herein; the costs of the City or CFD No. 36 related to an appeal of the Special Tax; the costs associated with the release of funds from any escrow account; the City's administration fees and third party expenses; the costs of City staff time and reasonable overhead relating to CFD No. 36; and amounts estimated or advanced by the City or CFD No. 36 for any other

administrative purposes of the CFD, including attorney's fees and other costs related to commencing and pursuing to completion any foreclosure of delinquent Special Taxes.

"Assessor's Parcel" means a lot or parcel shown in an Assessor's Parcel Map with an assigned Assessor's Parcel Number.

"Assessor's Parcel Map" means an official map of the Assessor of the County designating parcels by Assessor's Parcel Number.

"Assessor's Parcel Number" means, with respect to an Assessor's Parcel, that number assigned to such Assessor's Parcel by the County for purposes of identification.

"Assigned Special Tax A" means the Special Tax A for each Land Use Class of Developed Property, as determined in accordance with Section C.1.a.2 below.

"Backup Special Tax A" means the Special Tax A for each Land Use Class of Developed Property, as determined in accordance with Section C.1.a.3 below.

"Bonds" means any bonds or other debt (as defined in Section 53317(d) of the Act) issued by CFD No. 36 under the Act and payable from Special Tax A.

"Buildable Lot" means an individual lot, within a Final Subdivision Map or an area expected by CFD No. 36 to become Final Mapped Property, such as the area within a Tentative Tract Map, for which a building permit may be issued without further subdivision of such lot.

"CFD Administrator" means an official of the City responsible for determining the Special Tax A Requirement and Special Tax B Requirement, providing for the levy and collection of the Special Taxes, and performing the other duties provided for herein.

"CFD No. 36" means City of Ontario Community Facilities District No. 36 (Eucalyptus 190).

"City" means the City of Ontario, California.

"City Council" means the City Council of the City, acting as the legislative body of CFD No. 36.

"County" means the County of San Bernardino.

"Designated Buildable Lot" means a Buildable Lot for which a building permit has not been issued by the City as of the date of calculation of the Backup Special Tax A.

"Developed Property" means for each Fiscal Year, all Taxable Property, exclusive of Final Mapped Property, Taxable Property Owner Association Property, and Taxable Public Property, for which a building permit or other applicable permit for new construction was issued after January 1, 2015, and before May 1 of the prior Fiscal Year.

“Expected Residential Lot Count” means 190 Buildable Lots of Single Family Detached Property or, as determined by the CFD Administrator, the number of Buildable Lots of Single Family Detached Property based on the most recent Tentative Tract Map(s) or most recently recorded Final Subdivision Map(s) or modified Final Subdivision Map(s).

“Facilities” means the public facilities authorized to be financed, in whole or in part, by CFD No. 36.

“Final Mapped Property” means, for each Fiscal Year, all Taxable Property, exclusive of Developed Property, Taxable Property Owner Association Property, and Taxable Public Property, which as of January 1 of the previous Fiscal Year was located within a Final Subdivision Map. The term Final Mapped Property shall include any parcel map or Final Subdivision Map, or portion thereof, that creates individual lots for which a building permit may be issued, including Parcels that are designated as a remainder Parcel (i.e., one where the size, location, etc., precludes any further subdivision or taxable use).

“Final Subdivision Map” means a final tract map, parcel map, or lot line adjustment approved by the City pursuant to the Subdivision Map Act (California Government Code Section 66410 et seq.) or a condominium plan recorded pursuant to California Civil Code 1352 that, in either case, creates individual lots for which building permits may be issued without further subdivision.

“Fiscal Year” means the period starting July 1 and ending on the following June 30.

“Gated Apartment Community Property” means, with respect to Special Tax B, Multiple Family Property within a gated community that, within such community, is primarily served by private interior streets.

“Indenture” means the indenture, fiscal agent agreement, resolution, or other instrument pursuant to which Bonds are issued, as modified, amended, and/or supplemented from time to time.

“Land Use Class” means any of the classes listed in Table 1 and Table 2 below.

“Maximum Special Tax A” means, with respect to an Assessor’s Parcel of Taxable Property, the Maximum Special Tax A determined in accordance with Section C.1 below that can be levied in any Fiscal Year on such Assessor’s Parcel of Taxable Property.

“Maximum Special Tax B” means, with respect to an Assessor’s Parcel of Taxable Property, the Maximum Special Tax B determined in accordance with Section C.2 below that can be levied in any Fiscal Year on such Assessor’s Parcel of Taxable Property.

“Minimum Sale Price” means the minimum price at which Units of a given Land Use Class have sold or are expected to be sold in a normal marketing environment and shall not include prices for such Units that are sold at a discount to expected sales prices for the purpose of stimulating the initial sales activity with respect to such Land Use Class.

“Multiple Family Property” means, with respect to Special Tax B, all Assessor’s Parcels of Developed Property for which a building permit was issued by the City for any residential building containing two or more Units, including attached condominiums, townhomes, duplexes, triplexes, and apartments, but excluding Gated Apartment Community Property.

“Non-Residential Property” means all Assessor’s Parcels of Developed Property for which a building permit was issued by the City permitting the construction of one or more non-residential structures or facilities.

“Other Residential Property” means, with respect to Special Tax A, all Assessor’s Parcels of Developed Property for which a building permit was issued by the City for purposes of constructing Units, excluding Single Family Detached Property.

“Outstanding Bonds” means all Bonds which are outstanding under and in accordance with the provisions of the Indenture.

“Price Point Consultant” means any consultant or firm of such consultants selected by CFD No. 36 that (a) has substantial experience in performing price point studies for residential units within community facilities districts established under the Act or otherwise estimating or confirming pricing for residential units in such community facilities districts, (b) has recognized expertise in analyzing economic and real estate data that relates to the pricing of residential units in such community facilities districts, (c) is in fact independent and not under the control of CFD No. 36 or the City, (d) does not have any substantial interest, direct or indirect, with or in (i) CFD No. 36, (ii) the City, (iii) any owner of real property in CFD No. 36, or (iv) any real property in CFD No. 36, and (e) is not connected with CFD No. 36 or the City as an officer or employee thereof, but who may be regularly retained to make reports to CFD No. 36 or the City.

“Price Point Study” means a price point study or a letter updating a previous price point study prepared by the Price Point Consultant pursuant to Section C herein.

“Property Owner Association Property” means, for each Fiscal Year, any property within the boundaries of CFD No. 36 that was owned by a property owner association, including any master or sub-association, as of January 1 of the prior Fiscal Year.

“Proportionately” means (a) for Developed Property in the first step of Section D.1 below, that the ratio of the actual Special Tax A levy to the Maximum Special Tax A is equal for all Assessor’s Parcels of Developed Property; however, for Developed Property in the fourth step of Section D.1 below, Proportionately means that the amount of the increase above the Assigned Special Tax A, if necessary, is equal for all Assessor’s Parcels of Developed Property, except that if the Backup Special Tax A limits the increase on any Assessor’s Parcel(s), then the amount of the increase shall be equal for the remaining Assessor’s Parcels; (b) with respect to Special Tax B, that the ratio of the actual Special Tax B levy to the Maximum Special Tax B is equal for all Assessor’s Parcels of Developed Property; (c) for Final Mapped Property, that the ratio of the actual Special Tax A levy to the Maximum Special Tax A is equal for all Assessor’s Parcels of Final Mapped Property; (d) for Undeveloped Property, that the ratio of the actual Special

Tax A levy to the Maximum Special Tax A is equal for all Assessor's Parcels of Undeveloped Property; (e) for Taxable Property Owner Association Property, that the ratio of the actual Special Tax A levy to the Maximum Special Tax A is equal for all Assessor's Parcels of Taxable Property Owner Association Property; and (f) for Taxable Public Property, that the ratio of the actual Special Tax A levy to the Maximum Special Tax A is equal for all Assessor's Parcels of Taxable Public Property.

“Public Property” means, for each Fiscal Year, property within the boundaries of CFD No. 36 that is (a) owned by, irrevocably offered to, or dedicated to the federal government, the State, the County, the City, or any local government or other public agency or (b) encumbered by an easement for purposes of public right-of-way that makes impractical its use for any purpose other than that set forth in such easement; provided that any property leased by a public agency to a private entity and subject to taxation under Section 53340.1 of the Act shall be taxed and classified according to its use.

“Rate and Method of Apportionment” means this Rate and Method of Apportionment of Special Tax.

“Residential Floor Area” means all of the Square Footage of living area within the perimeter of a Unit, not including any carport, walkway, garage, overhang, patio, enclosed patio, or similar area. The determination of Residential Floor Area shall be as set forth in the building permit(s) issued for such Assessor's Parcel, or as set forth in other official records maintained by the City's Building Department or other appropriate means selected by CFD No. 36. The actual Square Footage shall be rounded up to the next whole square foot. Once such determination has been made for an Assessor's Parcel, it shall remain fixed in all future Fiscal Years unless an appeal pursuant to Section F below is approved that results in a change in the actual Square Footage.

“Residential Property” means, for each Fiscal Year, an Assessor's Parcel for which a building permit for new construction of one or more Units was issued after January 1, 2015, and before May 1 of the prior Fiscal Year.

“Services” means the services authorized to be financed, in whole or in part, by CFD No. 36.

“Single Family Detached Property” means all Assessor's Parcels of Developed Property for which a building permit was issued for construction of a Unit, on one legal lot, that does not share a common wall with another Unit.

“Special Taxes” means, collectively, Special Tax A and Special Tax B.

“Special Tax A” means the special tax authorized by the qualified electors of CFD No. 36 to be levied within the boundaries of CFD No. 36 to pay for Facilities and Services.

“Special Tax A Requirement” means for any Fiscal Year that amount required, after taking into account available amounts held in the funds and accounts established under the Indenture, for CFD No. 36 to: (i) pay debt service on all Outstanding Bonds which is due in the calendar year that commences in such Fiscal Year; (ii) pay periodic costs on

the Bonds, including, but not limited to, credit enhancement and rebate payments on the Bonds; (iii) pay a pro rata share of Administrative Expenses; (iv) provide any amounts required to establish or replenish any reserve fund for the Bonds; (v) pay directly for acquisition or construction of Facilities, or the cost of Services, to the extent that the inclusion of such amounts does not increase the Special Tax A levy on Final Mapped Property or Undeveloped Property; and (vi) provide an amount equal to Special Tax A delinquencies based on the historical delinquency rate for Special Tax A as determined by the CFD Administrator.

“Special Tax B” means the special tax authorized by the qualified electors of CFD No. 36 to be levied within the boundaries of CFD No. 36 to pay for Services.

“Special Tax B Requirement” means for any Fiscal Year that amount required, after taking into account available amounts in any funds and accounts established to pay for Services, to pay the cost of Services, a pro rata share of Administrative Expenses, and an amount equal to Special Tax B delinquencies based on the historical delinquency rate for Special Tax B as determined by the CFD Administrator.

“Square Footage” or **“Sq. Ft.”** means the floor area square footage reflected on the original construction building permit, or as set forth in other official records maintained by the City’s Building Department or other appropriate means selected by CFD No. 36, issued for construction of Residential Property or Non-Residential Property, plus any square footage subsequently added to a building of Non-Residential Property after issuance of a building permit for expansion or renovation of such building.

“State” means the State of California.

“Taxable Property” means, for each Fiscal Year, all of the Assessor’s Parcels within the boundaries of CFD No. 36 that are not exempt from the Special Taxes pursuant to law or Section E below.

“Taxable Property Owner Association Property” means, for each Fiscal Year, all Assessor’s Parcels of Property Owner Association Property that are not exempt from the Special Taxes pursuant to Section E below.

“Taxable Public Property” means, for each Fiscal Year, all Assessor’s Parcels of Public Property that are not exempt from the Special Taxes pursuant to law or Section E below.

“Tentative Tract Map” means a map: (i) showing a proposed subdivision of an Assessor’s Parcel(s) and the conditions pertaining thereto; (ii) that may or may not be based on a detailed survey; and (iii) that is not recorded by the County to create legal lots.

“Total Tax Burden” means, for any Unit, the annual Special Taxes, together with *ad valorem* property taxes, special assessments, special taxes for any overlapping community facilities district, and any other taxes, fees, and charges which are levied and imposed on such Unit and the real property on which it is located and collected by the County on *ad valorem* tax bills and which are secured by such Unit and the real property on which it is located, assuming such Unit had been completed, sold, and subject to such

levies and impositions, excluding service charges such as those related to sewer and trash.

“**Trustee**” means the trustee or fiscal agent under the Indenture.

“**TTM 18400**” means Tentative Tract Map No. 18400, the area of which is located within CFD No. 36.

“**Undeveloped Property**” means, for each Fiscal Year, all Taxable Property not classified as Developed Property, Final Mapped Property, Taxable Public Property, or Taxable Property Owner Association Property.

“**Unit**” means an individual single-family detached or attached home, townhome, condominium, apartment, or other residential dwelling unit, including each separate living area within a half-plex, duplex, triplex, fourplex, or other residential structure.

B. ASSIGNMENT TO LAND USE CATEGORIES

Each Fiscal Year, beginning with Fiscal Year 2016-17, all Taxable Property within CFD No. 36 shall be classified as Developed Property, Final Mapped Property, Taxable Public Property, Taxable Property Owner Association Property, or Undeveloped Property and shall be subject to Special Taxes in accordance with the Rate and Method of Apportionment as determined pursuant to Sections C and D below. Assessor’s Parcels of Developed Property shall be further classified as Single Family Detached Property, Other Residential Property (for Special Tax A), Multiple Family Property or Gated Apartment Community Property (for Special Tax B), or Non-Residential Property. Assessor’s Parcels of Single Family Detached Property shall be organized by Square Footage.

C. MAXIMUM SPECIAL TAX

1. Special Tax A

At least 30 days prior to the issuance of Bonds, the Assigned Special Tax A on Developed Property (set forth in Table 1 below) shall be analyzed in accordance with and subject to the conditions set forth in this Section C. At such time, CFD No. 36 shall select and engage a Price Point Consultant and the CFD Administrator shall request the Price Point Consultant to prepare a Price Point Study setting forth the Minimum Sale Price of Units within each Land Use Class. If based upon such Price Point Study the CFD Administrator calculates that the Total Tax Burden applicable to Units within one or more Land Use Classes of Single Family Detached Property to be constructed within CFD No. 36 exceeds 1.95% of the Minimum Sale Price of such Units, the Assigned Special Tax A shall be reduced to the extent necessary to cause the Total Tax Burden that shall apply to Units within such Land Use Class(es) not to exceed 1.95% of the Minimum Sale Price of such Units. Each Assigned Special Tax A reduction for a Land Use Class shall be calculated by the CFD Administrator separately, and it shall not be required that such reduction be proportionate among Land Use Classes. In connection with any reduction in the Assigned Special Tax A, the

Backup Special Tax A shall also be reduced by the CFD Administrator based on the percentage reduction in Maximum Special Tax A revenues within the Tentative Tract Map area(s) where the Assigned Special Tax A reductions occurred. The Special Tax A reductions required pursuant to this paragraph shall be reflected in an amended notice of Special Tax lien which CFD No. 36 shall cause to be recorded by executing a certificate in substantially the form attached herein as Exhibit A. The reductions in this section apply to Single Family Detached Property, but not to Other Residential Property or Non-Residential Property.

a. Developed Property

1) *Maximum Special Tax A*

The Maximum Special Tax A that may be levied in any Fiscal Year for each Assessor's Parcel classified as Developed Property shall be the greater of (i) the amount derived by application of the Assigned Special Tax A or (ii) the amount derived by application of the Backup Special Tax A. The Maximum Special Tax A shall not increase in future years, other than as calculated pursuant to Section C.1.a.3 below.

2) *Assigned Special Tax A*

The Assigned Special Tax A that may be levied in any Fiscal Year for each Land Use Class is shown below in Table 1.

TABLE 1
ASSIGNED SPECIAL TAX A – DEVELOPED PROPERTY

Land Use Class	Description	Residential Floor Area (Square Footage)	Assigned Special Tax A
1	Single Family Detached Property	< 1,901	\$1,919 per Unit
2	Single Family Detached Property	1,901 – 2,100	\$1,996 per Unit
3	Single Family Detached Property	2,101 – 2,300	\$2,085 per Unit
4	Single Family Detached Property	2,301 – 2,500	\$2,298 per Unit
5	Single Family Detached Property	2,501 – 2,700	\$2,510 per Unit
6	Single Family Detached Property	2,701 – 2,900	\$2,680 per Unit
7	Single Family Detached Property	2,901 – 3,100	\$2,850 per Unit
8	Single Family Detached Property	3,101 – 3,300	\$3,019 per Unit
9	Single Family Detached Property	3,301 – 3,500	\$3,187 per Unit
10	Single Family Detached Property	> 3,500	\$3,265 per Unit
11	Other Residential Property		\$26,454 per Acre
12	Non-Residential Property		\$26,454 per Acre

3) *Backup Special Tax A*

The Backup Special Tax A shall be \$2,654 per Unit for Single Family Detached Property. However, if the Expected Residential Lot Count does not equal 190 for Single Family Detached Property, and the City has not issued Bonds, then the Backup Special Tax A for Designated Buildable Lots of Single Family Detached Property shall be calculated according to the following formula:

$$\text{Backup Special Tax A} = \$504,274 \div \begin{array}{l} \text{the Expected Residential} \\ \text{Lot Count for Single Family} \\ \text{Detached Property} \end{array}$$

If any portion of a Final Subdivision Map, or any area expected by CFD No. 36 to become Final Mapped Property, such as the area within TTM 18400 or any other Tentative Tract Map, changes any time after the City has issued Bonds, causing an adjustment to the number of Designated Buildable Lots, then the Backup Special Tax A for all Designated Buildable Lots of Single Family Detached Property subject to the change shall be calculated according to the following steps:

Step 1: Determine the total Backup Special Tax A that could have been collected from Designated Buildable Lots of Single Family Detached Property prior to the Final Subdivision Map or expected Final Mapped Property change.

Step 2: Divide the amount determined in Step 1 by the number of Designated Buildable Lots of Single Family Detached Property that exists after the Final Subdivision Map or expected Final Mapped Property change.

Step 3: Apply the amount determined in Step 2 as the Backup Special Tax A per Unit for Single Family Detached Property.

The Backup Special Tax A for an Assessor's Parcel shall not change once an Assessor's Parcel is classified as Developed Property.

- b. Final Mapped Property, Taxable Public Property, Taxable Property Owner Association Property, and Undeveloped Property***

The Maximum Special Tax A for Final Mapped Property, Taxable Public Property, Taxable Property Owner Association Property, and Undeveloped Property shall be \$26,454 per Acre, and shall not be subject to increase or reduction and, therefore, shall remain the same in every Fiscal Year.

2. Special Tax B

The Maximum Special Tax B for each Assessor's Parcel classified as Developed Property shall be determined by reference to Table 2 below.

TABLE 2
MAXIMUM SPECIAL TAX B – DEVELOPED PROPERTY

Land Use Class	Maximum Special Tax B Fiscal Year 2016-17
Residential Property:	
Single Family Detached Property	\$1,500 per Unit
Multiple Family Property	\$1,300 per Unit
Gated Apartment Community Property	\$1,090 per Unit
Non-Residential Property	\$0.28 per Sq. Ft.

On January 1 of each Fiscal Year, commencing January 1, 2017, the Maximum Special Tax B to be applied in the next Fiscal Year shall be subject to an automatic increase at a rate equal to 4.0% of the amount in effect for the prior Fiscal Year.

3. Multiple Land Use Classes on an Assessor's Parcel

In some instances an Assessor's Parcel of Developed Property may contain more than one Land Use Class. The Maximum Special Tax A levied on such Assessor's Parcel shall be the sum of the Maximum Special Tax A for all Units of Single Family Detached Property and Acres of Other Residential Property and Non-Residential Property (based on the pro rata share of Square Footage between Other Residential Property and Non-Residential Property, according to the applicable building permits, Final Subdivision Map, parcel map, condominium plan, or other recorded County map) located on that Assessor's Parcel. The Maximum Special Tax B levied on such Assessor's Parcel shall be the sum of the Maximum Special Tax B for all Units of Residential Property and all Square Footage of Non-Residential Property (based on the applicable building permits, Final Subdivision Map, parcel map, condominium plan, or other recorded County map) located on that Assessor's Parcel.

D. METHOD OF APPORTIONMENT OF THE SPECIAL TAX

1. Special Tax A

Each Fiscal Year, beginning with Fiscal Year 2016-17, the CFD Administrator shall determine the Special Tax A Requirement for such Fiscal Year. The Special Tax A shall then be levied as follows:

First: If needed to satisfy the Special Tax A Requirement, Special Tax A shall be levied Proportionately on each Assessor's Parcel of Developed Property up to 100% of the applicable Assigned Special Tax A;

Second: If additional monies are needed to satisfy the Special Tax A Requirement after the first step has been completed, then Special Tax A shall be levied Proportionately on each Assessor's Parcel of Final Mapped Property up to 100% of the Maximum Special Tax A for Final Mapped Property;

Third: If additional monies are needed to satisfy the Special Tax A Requirement after the first two steps have been completed, then Special Tax A shall be levied Proportionately on each Assessor's Parcel of Undeveloped Property up to 100% of the Maximum Special Tax A for Undeveloped Property;

Fourth: If additional monies are needed to satisfy the Special Tax A Requirement after the first three steps have been completed, then the levy of Special Tax A on each Assessor's Parcel of Developed Property whose Maximum Special Tax A is determined through the application of the Backup Special Tax A shall be increased Proportionately from the Assigned Special Tax A up to the Maximum Special Tax A for each such Assessor's Parcel;

Fifth: If additional monies are needed to satisfy the Special Tax A Requirement after the first four steps have been completed, then Special Tax A shall be levied Proportionately on each Assessor's Parcel of Taxable Property Owner Association Property up to the Maximum Special Tax A for Taxable Property Owner Association Property;

Sixth: If additional monies are needed to satisfy the Special Tax A Requirement after the first five steps have been completed, then Special Tax A shall be levied Proportionately on each Assessor's Parcel of Taxable Public Property up to the Maximum Special Tax A for Taxable Public Property.

Notwithstanding the above, under no circumstances shall Special Tax A levied in any Fiscal Year on any Assessor's Parcel of Single Family Detached Property or Other Residential Property for which an occupancy permit for private residential use has been issued be increased as a result of delinquency or default by the owner or owners of any other Assessor's Parcel or Assessor's Parcels within CFD No. 36 by more than ten percent above the amount that would have been levied in that Fiscal Year had there never been any such delinquencies or defaults.

2. Special Tax B

Each Fiscal Year, beginning with Fiscal Year 2016-17, the CFD Administrator shall determine the Special Tax B Requirement. The Special Tax B shall then be levied Proportionately on each Assessor's Parcel of Developed Property up to 100% of the applicable Maximum Special Tax B for such Assessor's Parcel, until the Special Tax B Requirement is satisfied.

E. EXEMPTIONS

No Special Tax shall be levied on up to 16.71 Acres of Public Property and up to 2.30 Acres of Property Owner Association Property. Tax-exempt status will be assigned by the CFD Administrator in the chronological order in which property becomes Public Property or Property Owner Association Property.

Property Owner Association Property or Public Property that is not exempt from the Special Tax A under this section shall be subject to the levy of Special Tax A and shall be taxed Proportionately as part of the fifth or sixth step, respectively, in Section D above, up to 100% of the applicable Maximum Special Tax A for Taxable Property Owner Association Property and Taxable Public Property. No Special Tax A shall be levied in any Fiscal Year on Assessor's Parcels that have fully prepaid the Special Tax A obligation pursuant to the formula set forth in Section H.

F. APPEALS

Any property owner may file a written appeal of the Special Tax with CFD No. 36 claiming that the amount or application of the Special Tax is not correct. The appeal must be filed not later than one calendar year after having paid the Special Tax that is disputed, and the appellant must be current in all payments of Special Taxes. In addition, during the term of the appeal process, all Special Taxes levied must be paid on or before the payment date established when the levy was made.

The appeal must specify the reasons why the appellant claims the Special Tax is in error. The CFD Administrator shall review the appeal, meet with the appellant if the CFD Administrator deems necessary, and advise the appellant of its determination.

If the property owner disagrees with the CFD Administrator's decision relative to the appeal, the owner may then file a written appeal with the City Council whose subsequent decision shall be final and binding on all interested parties. If the decision of the CFD Administrator or subsequent decision by the City Council requires the Special Tax to be modified or changed in favor of the property owner, then the CFD Administrator shall determine if sufficient Special Tax revenue is available to make a cash refund. If a cash refund cannot be made, then an adjustment shall be made to credit future Special Tax levy(ies).

This procedure shall be exclusive and its exhaustion by any property owner shall be a condition precedent to filing any legal action by such owner.

G. MANNER OF COLLECTION

The Special Taxes shall be collected in the same manner and at the same time as ordinary *ad valorem* property taxes; provided, however, that the Special Taxes may be collected in such other manner as the City Council shall determine, including direct billing of affected property owners.

H. PREPAYMENT OF SPECIAL TAX A

The following definitions apply to this Section H:

“CFD Public Facilities” means \$5,712,000 for each Prepayment Period, or such lower number as determined by the City Council to be sufficient to fund the Facilities and Services to be provided by CFD No. 36.

“Expenditures Fund” means funds or accounts, regardless of their names, that are established to hold moneys that are available to acquire or construct Facilities and to fund Services.

“Future Facilities Costs” means the CFD Public Facilities minus (i) Facilities and Services costs previously paid from the Expenditures Fund during the Prepayment Period in which the prepayment is being made, (ii) moneys currently on deposit in the Expenditures Fund from deposits made during the Prepayment Period in which the prepayment is being made, and (iii) moneys currently on deposit in an escrow fund that are expected to be available to finance Facilities costs. In no event shall the amount of Future Facilities Costs be less than zero.

“Prepayment Period” means one of three periods of time during which a Special Tax prepayment may be made.

“Prepayment Period 1” means July 1, 2016, through June 30, 2050.

“Prepayment Period 2” means July 1, 2050, through June 30, 2083.

“Prepayment Period 3” means July 1, 2083, through June 30, 2117.

Only Special Tax A may be prepaid; Special Tax B shall continue to be levied on an annual basis on all Developed Property in CFD No. 36.

1. Prepayment in Full

The obligation of an Assessor's Parcel to pay the Special Tax A may be prepaid as described herein, provided that a prepayment may be made only for Assessor's Parcels for which a building permit for new construction was issued after January 1, 2015, and only if there are no delinquent Special Taxes with respect to such Assessor's Parcel at the time of prepayment. An owner of an Assessor's Parcel intending to prepay the Special Tax A obligation shall provide the CFD Administrator with written notice of intent to prepay. Within 30 days of receipt

of such written notice, the CFD Administrator shall notify such owner of the prepayment amount for such Assessor's Parcel. The CFD Administrator may charge a fee for providing this service. Prepayment in any six month period must be made not less than 45 days prior to the next occurring date that notice of redemption of Bonds from the proceeds of such prepayment may be given to the Trustee pursuant to the Indenture.

The Special Tax A Prepayment Amount (defined below) shall be calculated as summarized below (capitalized terms as defined below):

Bond Redemption Amount	
plus	Redemption Premium
plus	Future Facilities Amount
plus	Defeasance Amount
plus	Administrative Fees and Expenses
<u>less</u>	<u>Reserve Fund Credit</u>
Total	Prepayment Amount

As of the proposed date of prepayment, the Special Tax A Prepayment Amount (defined below) shall be calculated by the CFD Administrator as follows:

Paragraph No.

1. Confirm that no Special Tax delinquencies apply to such Assessor's Parcel, and determine the Prepayment Period for the proposed prepayment.
2. Compute the Assigned Special Tax A and Backup Special Tax A for the Assessor's Parcel to be prepaid based on the Developed Property Special Tax A which is, or could be, charged in the current Fiscal Year. For Assessor's Parcels of Final Mapped Property (for which a building permit has been issued but which is not yet classified as Developed Property) to be prepaid, compute the Assigned Special Tax A and Backup Special Tax A for that Assessor's Parcel as though it was already designated as Developed Property, based upon the building permit which has already been issued for that Assessor's Parcel.
3. (a) Divide the Assigned Special Tax A computed pursuant to Paragraph 2 by the total estimated Assigned Special Tax A for CFD No. 36 based on the Developed Property Special Tax A which could be charged in the current Fiscal Year on all expected development through buildout of CFD No. 36, excluding any Assessor's Parcels which have been prepaid, and

(b) Divide the Backup Special Tax A computed pursuant to Paragraph 2 by the estimated total Backup Special Tax A at buildout of CFD No. 36, excluding any Assessor's Parcels which have been prepaid.
4. Multiply the larger quotient computed pursuant to Paragraph 3(a) or 3(b) by the Outstanding Bonds to compute the amount of Outstanding Bonds to be retired and prepaid (the "Bond Redemption Amount").

5. Multiply the Bond Redemption Amount computed pursuant to Paragraph 4 by the applicable redemption premium (e.g., the redemption price minus 100%), if any, on the Outstanding Bonds to be redeemed (the “Redemption Premium”).
6. Compute the Future Facilities Costs for the applicable Prepayment Period.
7. Multiply the larger quotient computed pursuant to Paragraph 3(a) or 3(b) by the amount determined pursuant to Paragraph 6 to compute the amount of Future Facilities Costs to be prepaid (the “Future Facilities Amount”).
8. Compute the amount needed to pay interest on the Bond Redemption Amount from the first bond interest and/or principal payment date following the current Fiscal Year until the earliest redemption date for the Outstanding Bonds.
9. Determine the Special Tax A levied on the Assessor’s Parcel in the current Fiscal Year which has not yet been paid.
10. Add the amounts computed pursuant to Paragraphs 8 and 9 to determine the “Defeasance Amount”.
11. Verify the administrative fees and expenses of CFD No. 36, including the costs to compute the prepayment, the costs to invest the prepayment proceeds, the costs to redeem Bonds, and the costs to record any notices to evidence the prepayment and the redemption (the “Administrative Fees and Expenses”).
12. If reserve funds for the Outstanding Bonds, if any, are at or above 100% of the reserve requirement (as defined in the Indenture) on the prepayment date, a reserve fund credit shall be calculated as a reduction in the applicable reserve fund for the Outstanding Bonds to be redeemed pursuant to the prepayment (the “Reserve Fund Credit”). No Reserve Fund Credit shall be granted if reserve funds are below 100% of the reserve requirement on the prepayment date or the redemption date.
13. The Special Tax A prepayment is equal to the sum of the amounts computed pursuant to Paragraphs 4, 5, 7, 10, and 11, less the amount computed pursuant to Paragraph 12 (the “Prepayment Amount”).
14. From the Prepayment Amount, the amounts computed pursuant to Paragraphs 4, 5, 10, and 12 shall be deposited into the appropriate fund as established under the Indenture and be used to retire Outstanding Bonds or make debt service payments. The amount computed pursuant to Paragraph 7 shall be deposited into the Expenditures Fund. The amount computed pursuant to Paragraph 11 shall be retained by CFD No. 36.

The Special Tax A Prepayment Amount may be sufficient to redeem other than a \$5,000 increment of Bonds. In such cases, the increment above \$5,000, or integral multiple

thereof, will be retained in the appropriate fund established under the Indenture to be used with the next prepayment of Bonds or to make debt service payments.

As a result of the payment of the current Fiscal Year's Special Tax A levy as determined under Paragraph 9 (above), the CFD Administrator shall remove the current Fiscal Year's Special Tax A levy for such Assessor's Parcel from the County tax rolls. With respect to any Assessor's Parcel that is prepaid during Prepayment Period 3, the CFD Administrator shall cause a suitable notice to be recorded in compliance with the Act to indicate that Special Tax A has been prepaid and that the obligation of such Assessor's Parcel to pay Special Tax A shall cease.

With respect to Special Tax A for any Assessor's Parcel that is prepaid during Prepayment Period 1 or Prepayment Period 2, the obligation of such Assessor's Parcel to pay Special Tax A shall be tolled, or suspended, through the end of such Prepayment Period, but shall resume in the first Fiscal Year of the subsequent Prepayment Period. The CFD Administrator shall cause a suitable notice to be recorded in compliance with the Act to indicate that Special Tax A has been satisfied for the remainder of the applicable Prepayment Period but has not been permanently satisfied and the obligation to pay Special Tax A will resume in the first Fiscal Year of the Prepayment Period following the Prepayment Period in which the prepayment was made. Once the obligation of an Assessor's Parcel to pay Special Tax A resumes, Special Tax A for the then applicable Prepayment Period may be prepaid.

Notwithstanding the foregoing, no Special Tax A prepayment shall be allowed unless the amount of Maximum Special Tax A that may be levied on Taxable Property within CFD No. 36 (after excluding 16.71 Acres of Public Property and 2.30 acres of Property Owner Association Property) both prior to and after the proposed prepayment is at least 1.1 times the maximum annual debt service on all Outstanding Bonds.

2. Prepayment in Part

The Special Tax A on an Assessor's Parcel for which a building permit for new construction was issued after January 1, 2015, may be partially prepaid. The amount of the prepayment shall be calculated as in Section H.1, except that a partial prepayment shall be calculated by the CFD Administrator according to the following formula:

$$PP = PF \times \%.$$

The terms above have the following meaning:

PP = the partial prepayment

PF = the Prepayment Amount (full prepayment) for Special Tax A calculated according to Section H.1

% = the percentage by which the owner of the Assessor's Parcel(s) is partially prepaying Special Tax A

The Special Tax A partial prepayment amount must be sufficient to redeem at least a \$5,000 increment of Bonds.

The owner of any Assessor's Parcel who desires such prepayment shall notify the CFD Administrator of such owner's intent to partially prepay Special Tax A and the percentage by which Special Tax A shall be prepaid. The CFD Administrator shall provide the owner with a statement of the amount required for the partial prepayment of Special Tax A for an Assessor's Parcel within thirty (30) days of the request and may charge a fee for providing this service. With respect to any Assessor's Parcel that is partially prepaid, the CFD Administrator shall (i) distribute the remitted prepayment funds according to Section H.1, and (ii) indicate in the records of CFD No. 36 that there has been a partial prepayment of Special Tax A and that a portion of Special Tax A with respect to such Assessor's Parcel, equal to the outstanding percentage (100% - "%", as defined above) of the Maximum Special Tax A, shall continue to be levied on such Assessor's Parcel pursuant to Section D during the Prepayment Period in which the partial prepayment is made.

For partial prepayments made during Prepayment Period 1 or Prepayment Period 2, the full amount of Special Tax A shall resume in the first Fiscal Year of the Prepayment Period following the Prepayment Period in which the partial prepayment was made. Once the obligation of an Assessor's Parcel to pay Special Tax A resumes, Special Tax A for the then applicable Prepayment Period may be prepaid.

I. TERM OF SPECIAL TAX

The Fiscal Year after which no further Special Tax A shall be levied or collected is Fiscal Year 2116-2117, except that Special Tax A that was lawfully levied in or before such Fiscal Year and that remains delinquent may be collected in subsequent years. Special Tax B shall continue to be levied indefinitely on an annual basis on all Developed Property in CFD No. 36.

EXHIBIT A

CERTIFICATE OF MODIFICATION OF SPECIAL TAX A (PAGE 1 OF 2)

CITY OF ONTARIO AND CFD No. 36 CERTIFICATE

1. Pursuant to Section C.1 of the Rate and Method of Apportionment of Special Tax for City of Ontario Community Facilities District No. 36 (Eucalyptus 190) (“CFD No. 36”), the Assigned Special Tax A and the Backup Special Tax A for Developed Property within CFD No. 36 has been modified.
 - a. The information in Table 1 relating to Assigned Special Tax A for Developed Property within CFD No. 36, as stated in Section C.1.a.2 of the Rate and Method of Apportionment, has been modified as follows:

TABLE 1
ASSIGNED SPECIAL TAX A – DEVELOPED PROPERTY

Land Use Class	Description	Residential Floor Area (Square Footage)	Assigned Special Tax A
1	Single Family Detached Property	< 1,901	\$[] per Unit
2	Single Family Detached Property	1,901 – 2,100	\$[] per Unit
3	Single Family Detached Property	2,101 – 2,300	\$[] per Unit
4	Single Family Detached Property	2,301 – 2,500	\$[] per Unit
5	Single Family Detached Property	2,501 – 2,700	\$[] per Unit
6	Single Family Detached Property	2,701 – 2,900	\$[] per Unit
7	Single Family Detached Property	2,901 – 3,100	\$[] per Unit
8	Single Family Detached Property	3,101 – 3,300	\$[] per Unit
9	Single Family Detached Property	3,301 – 3,500	\$[] per Unit
10	Single Family Detached Property	> 3,500	\$[] per Unit
11	Other Residential Property		\$[] per Acre
12	Non-Residential Property		\$[] per Acre

EXHIBIT A

CERTIFICATE OF MODIFICATION OF SPECIAL TAX A (PAGE 2 OF 2)

- b. The Backup Special Tax A for Developed Property, as stated in Section C.1.a.3, shall be modified as follows:

The Backup Special Tax A shall be \$[_____] per Unit for Single Family Detached Property. However, if the Expected Residential Lot Count does not equal 190 for Single Family Detached Property, and the City has not issued Bonds, then the Backup Special Tax A for Designated Buildable Lots of Single Family Detached Property shall be calculated according to the following formula:

$$\text{Backup Special Tax A} = \$[_____] \div \text{the Expected Residential Lot Count for Single Family Detached Property}$$

2. The Special Tax A for Developed Property may only be modified prior to the first issuance of CFD No. 36 Bonds.
3. Upon execution of this certificate by CFD No. 36, CFD No. 36 shall cause an amended notice of Special Tax lien for CFD No. 36 to be recorded reflecting the modifications set forth herein.

By execution hereof, the undersigned acknowledge, on behalf of the City and CFD No. 36, receipt of this certificate and modification of the Rate and Method of Apportionment as set forth in this certificate.

CITY OF ONTARIO COMMUNITY FACILITIES DISTRICT NO. 36 (EUCALYPTUS 190)

By:_____

Date:_____

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, DEEMING IT NECESSARY TO INCUR BONDED INDEBTEDNESS WITHIN THE CITY OF ONTARIO COMMUNITY FACILITIES DISTRICT NO. 36 (EUCALYPTUS 190).

WHEREAS, on December 1, 2015, 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. 36 (Eucalyptus 190), and to Authorize the Levy of Special Taxes" stating its intention to establish City of Ontario Community Facilities District No. 36 (Eucalyptus 190) (the "Community Facilities District") and to authorize the levy of special taxes within the Community Facilities District to finance certain public facilities and services; and

WHEREAS, on December 1, 2015, the City Council also adopted a resolution entitled "A Resolution of the City Council of the City of Ontario, California, to Incur Bonded Indebtedness of the Proposed City of Ontario Community Facilities District No. 36 (Eucalyptus 190)" (the "Resolution to Incur Bonded Indebtedness") declaring the necessity for incurring bonded indebtedness and setting the date for a public hearing to be held on the proposed debt issue; and

WHEREAS, pursuant to the Resolution to Incur Bonded Indebtedness, notice of said public hearing was published in the *Inland Valley Daily Bulletin*, a newspaper of general circulation published in the area of the Community Facilities District, in accordance with the Act; and

WHEREAS, on this date, the City Council opened, conducted and closed said public hearing; and

WHEREAS, at said public hearing, any person interested, including persons owning property within the area and desiring to appear and present any matters material to the questions set forth in the Resolution to Incur Bonded Indebtedness appeared and presented such matters; and

WHEREAS, oral or written protests against the proposed debt issue were not made or filed at or before said public hearing by 50% or more of the registered voters, or six registered voters, whichever is more, residing within the territory proposed to be included in the Community Facilities District, or the owners of one-half or more of the area of land in the territory proposed to be included in the Community Facilities District and not exempt from the special tax; and

WHEREAS, on this date, the City Council adopted a resolution entitled “A Resolution of the City Council of the City of Ontario, California, of Formation of the City of Ontario Community Facilities District No. 36 (Eucalyptus 190), Authorizing the Levy of a Special Tax within the Community Facilities District and Establishing an Appropriations Limit for the Community Facilities District” (the “Resolution of Formation”); and

WHEREAS, the City Clerk of the City (the “City Clerk”) is the election official that will conduct the special election on the proposition to incur bonded indebtedness for the Community Facilities District; and

WHEREAS, there has been filed with the City Clerk a letter from the Registrar of Voters of the County of San Bernardino indicating that no persons were registered to vote within the territory of the proposed Community Facilities District as of December 17, 2015, and, accordingly, that 12 or more persons have not been registered to vote within the territory of the Community Facilities District for each of the 90 days preceding the close of said public hearing; and

WHEREAS, there has been filed with the City Clerk consents and waivers of all of the landowners of record in the Community Facilities District waiving any time limit specified by Section 53326 of the Act and any requirement pertaining to the conduct of said special election, including any time limit or requirement applicable to an election pursuant to Article 5 of the Act (commencing with Section 53345 of the Act), consenting to the holding of said special election on January 19, 2016, and waiving any impartial analysis, arguments or rebuttals, as set forth in Sections 53326 and 53327 of the Act; and

WHEREAS, the City Clerk has concurred in said waivers and has concurred in holding said special election on January 19, 2016;

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

SECTION 1. The foregoing recitals are true and correct.

SECTION 2. The City Council deems it necessary to incur the bonded indebtedness.

SECTION 3. The bonded indebtedness will be incurred for the purpose of financing the costs of the Facilities (as defined in the Resolution of Formation), including all costs and estimated costs incidental to, or connected with, the accomplishment of such purpose.

SECTION 4. In accordance with the previous determination of the City Council, the whole of the Community Facilities District will pay for the bonded indebtedness.

SECTION 5. The maximum aggregate amount of debt to be incurred is \$21,000,000.

SECTION 6. The maximum term the bonds to be issued shall run before maturity is 40 years.

SECTION 7. The maximum annual rate of interest to be paid shall not exceed the maximum interest rate permitted by applicable law at the time of sale of the bonds, payable semiannually or at such times as the City Council or its designee shall determine, the actual rate or rates and times of payment of such interest to be determined by the City Council or its designee at the time or times of sale of the bonds.

SECTION 8. The proposition to incur the bonded indebtedness will be submitted to the voters.

SECTION 9. The City Council hereby finds and determines that no persons were registered to vote within the territory of the proposed Community Facilities District as of December 17, 2015, and that 12 or more persons have not been registered to vote within the territory of the Community Facilities District for each of the 90 days preceding the close of the public hearings held by the City Council on the proposed debt issue for the Community Facilities District. Accordingly, pursuant to Section 53326 of the Act, the vote shall be by the landowners of the Community Facilities District and each person who is the owner of land as of the close of said public hearings, or the authorized representative thereof, shall have one vote for each acre or portion of an acre that he or she owns within the Community Facilities District not exempt from the special tax.

SECTION 10. The City Council hereby finds and determines that the qualified electors of the Community Facilities District have unanimously consented (a) to the waiver of any time limit specified by Section 53326 of the Act and any requirement pertaining to the conduct of said election, including any time limit or requirement applicable to an election pursuant to Article 5 of the Act (commencing with Section 53345 of the Act), and (b) to the holding of said election on January 19, 2016. The City Council hereby finds and determines that the City Clerk has concurred in said waivers and has concurred in holding said election on January 19, 2016.

SECTION 11. The date of the special community facilities district election (which shall be consolidated with the special district election to levy a special tax within the Community Facilities District) at which time the proposition shall be submitted to the voters is January 19, 2016.

SECTION 12. The election is to be conducted by mail ballot. The mailed ballots are required to be received in the office of the City Clerk no later than 7:30 p.m. on January 19, 2016; provided, however, that if all of the qualified electors have voted prior to such time, the election may be closed with the concurrence of the City Clerk.

SECTION 13. The officers, employees and agents of the City are hereby authorized and directed to take all actions and do all things which they, or any of them, may deem necessary or desirable to accomplish the purposes of this Resolution and not inconsistent with the provisions hereof.

SECTION 14. This Resolution shall take effect immediately upon its adoption.

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

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

PAUL S. LEON, MAYOR

ATTEST:

VICKI KASAD, MMC, ASSISTANT CITY CLERK

APPROVED AS TO LEGAL FORM:

BEST BEST & KRIEGER LLP
CITY ATTORNEY

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

I, VICKI KASAD, Assistant 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 January 19, 2016 by the following roll call vote, to wit:

AYES: COUNCIL MEMBERS:

NOES: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

VICKI KASAD, MMC, ASSISTANT 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 January 19, 2016.

VICKI KASAD, MMC, ASSISTANT CITY CLERK

(SEAL)

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO,
CALIFORNIA, CALLING SPECIAL ELECTION FOR CITY OF ONTARIO
COMMUNITY FACILITIES DISTRICT NO. 36 (EUCALYPTUS 190).

WHEREAS, on this date, the City Council (the "City Council") of the City of Ontario (the "City"), pursuant to the Mello-Roos Community Facilities Act of 1982 (the "Act"), adopted a resolution entitled "A Resolution of the City Council of the City of Ontario, California, of Formation of the City of Ontario Community Facilities District No. 36 (Eucalyptus 190), Authorizing the Levy of a Special Tax within the Community Facilities District and Establishing an Appropriations Limit for the Community Facilities District" (the "Resolution of Formation"), establishing City of Ontario Community Facilities District No. 36 (Eucalyptus 190) (the "Community Facilities District"), authorizing the levy of a special tax within the Community Facilities District and establishing an appropriations limit for the Community Facilities District; and

WHEREAS, on this date, the City Council also adopted a resolution entitled "A Resolution of the City Council of the City of Ontario, California, Deeming it Necessary to Incur Bonded Indebtedness within the City of Ontario Community Facilities District No. 36 (Eucalyptus 190)" (the "Resolution Deeming it Necessary to Incur"), deeming it necessary to incur bonded indebtedness in the maximum amount of \$21,000,000; and

WHEREAS, pursuant to the provisions of said resolutions, the propositions to incur bonded indebtedness, to levy a special tax within the Community Facilities District and to establish an appropriations limit for the Community Facilities District are to be submitted to the qualified electors of the Community Facilities District as required by the Act; and

WHEREAS, the City Council desires to designate the City Clerk of the City (the "City Clerk") as the election official for the special election provided for herein; and

WHEREAS, there has been filed with the City Clerk a letter from the Registrar of Voters of the County of San Bernardino indicating that no persons were registered to vote within the territory of the proposed Community Facilities District as of December 17, 2015, and, accordingly, that 12 or more persons have not been registered to vote within the territory of the Community Facilities District for each of the 90 days preceding the close of the public hearings on the establishment of the Community Facilities District and the proposed debt issue for the Community Facilities District; and

WHEREAS, there has been filed with the City Clerk consents and waivers of all of the landowners of record in the Community Facilities District waiving any time limit specified by Section 53326 of the Act and any requirement pertaining to the conduct of said special election, including any time limit or requirement applicable to an election pursuant to Article 5 of the Act (commencing with Section 53345 of the Act), consenting to the holding of said special election on January 19, 2016 and waiving any impartial analysis, arguments or rebuttals, as set forth in Sections 53326 and 53327 of the Act; and

WHEREAS, the City Clerk has concurred in said waivers and has concurred in holding said special election on January 19, 2016;

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

SECTION 1. Pursuant to Sections 53351, 53326 and 53325.7 of the Act, the propositions to incur bonded indebtedness, to levy a special tax within the Community Facilities District and to establish an appropriations limit for the Community Facilities District shall be submitted to the qualified electors of the Community Facilities District at an election called therefor as provided below.

SECTION 2. The City Clerk is hereby designated as the official to conduct said election.

SECTION 3. As authorized by Section 53353.5 of the Act, the propositions to incur bonded indebtedness, to levy a special tax within the Community Facilities District and to establish an appropriations limit for the Community Facilities District shall be combined into one ballot proposition.

SECTION 4. The City Council hereby finds and determines that no persons were registered to vote within the territory of the proposed Community Facilities District as of December 17, 2015, and that 12 or more persons have not been registered to vote within the territory of the Community Facilities District for each of the 90 days preceding the close of the public hearings heretofore held by the City Council on the establishment of the Community Facilities District and the proposed debt issue for the Community Facilities District. Accordingly, pursuant to Section 53326 of the Act, the vote shall be by the landowners of the Community Facilities District and each person who is the owner of land as of the close of said public hearings, or the authorized representative thereof, shall have one vote for each acre or portion of an acre that he or she owns within the Community Facilities District not exempt from the special tax.

SECTION 5. The City Council hereby finds and determines that the qualified electors of the Community Facilities District have unanimously consented (a) to the waiver of any time limit specified by Section 53326 of the Act and any requirement pertaining to the conduct of said election, including any time limit or requirement applicable to an election pursuant to Article 5 of the Act (commencing with Section 53345 of the Act), (b) to the holding of said election on January 19, 2016, and (c) to the waiver of any impartial analysis, arguments or rebuttals, as set forth in Sections 53326 and 53327 of the Act. The City Council hereby finds and determines that the City Clerk has concurred in said waivers and has concurred in holding said election on January 19, 2016.

SECTION 6. The City Council hereby calls a special election to submit to the qualified electors of the Community Facilities District the combined proposition to incur bonded indebtedness, to levy a special tax within the Community Facilities District and to establish an appropriations limit for the Community Facilities District, which election shall be held at 303 East B Street, Ontario, California, on January 19, 2016. The City

Council has caused to be provided to the City Clerk, as the official to conduct said election, the Resolution of Formation, the Resolution Deeming it Necessary to Incur, a certified map of sufficient scale and clarity to show the boundaries of the Community Facilities District, and a sufficient description to allow the City Clerk to determine the boundaries of the Community Facilities District.

The voted ballots shall be returned to the City Clerk not later than 7:30 p.m. on January 19, 2016; provided, however, that if all of the qualified electors have voted prior to such time, the election may be closed with the concurrence of the City Clerk.

SECTION 7. Pursuant to Section 53326 of the Act, the election shall be conducted by mail or hand-delivered ballot pursuant to Section 4000 *et. seq.* of the California Elections Code. Except as otherwise provided in the Act, the provisions of law regulating elections of the City, insofar as they may be applicable, will govern the election.

SECTION 8. The form of the ballot for said election is attached hereto as Exhibit A and by this reference incorporated herein, and such form of ballot is hereby approved. The City Clerk shall cause to be delivered to each of the qualified electors of the Community Facilities District a ballot in said form. Each ballot shall indicate the number of votes to be voted by the respective landowner to which it pertains.

Each ballot shall be accompanied by all supplies and written instructions necessary for the use and return of the ballot. The identification envelope for return of the ballot shall be enclosed with the ballot, shall have the return postage prepaid, and shall contain: (a) the name and address of the landowner, (b) a declaration, under penalty of perjury, stating that the voter is the owner of record or the authorized representative of the landowner entitled to vote and is the person whose name appears on the identification envelope, (c) the printed name, signature and address of the voter, (d) the date of signing and place of execution of the declaration described in clause (b) above, and (e) a notice that the envelope contains an official ballot and is to be opened only by the canvassing board.

Analysis and arguments with respect to the ballot proposition are hereby waived, as provided in Section 53327 of the Act.

SECTION 9. The City Clerk shall accept the ballots of the qualified electors in the office of the City Clerk at 303 East B Street, Ontario, California, to and including 7:30 p.m. on January 19, 2016, whether said ballots be personally delivered or received by mail. The City Clerk shall have available ballots which may be marked at said location on the election day by said qualified electors.

SECTION 10. The City Council hereby determines that the facilities and services financed by the Community Facilities District are necessary to meet increased demands placed upon local agencies as a result of development occurring in the Community Facilities District.

SECTION 11. The specific purposes of the bonded indebtedness proposed to be incurred is the financing of the Facilities (as defined in the Resolution of Formation), including all costs and estimated costs incidental to, or connected with, the accomplishment of such purpose, and the proceeds of such bonded indebtedness shall be applied only to such specific purposes.

Upon approval of the proposition to incur bonded indebtedness, and the sale of any bonds evidencing such indebtedness, the City Council shall take such action as may be necessary to cause to be established an account for deposit of the proceeds of sale of the bonds. For so long as any proceeds of the bonds remain unexpended, the Management Analyst, Management Services of the City shall cause to be filed with the City Council, no later than January 1 of each year, a report stating (a) the amount of bond proceeds received and expended during the preceding year, and (b) the status of any project funded or to be funded from bond proceeds. Said report may relate to the calendar year, fiscal year, or other appropriate annual period, as the Management Analyst, Management Services of the City shall determine, and may be incorporated into the annual budget, audit, or other appropriate routine report to the City Council.

SECTION 12. The officers, employees and agents of the City are hereby authorized and directed to take all actions and do all things which they, or any of them, may deem necessary or desirable to accomplish the purposes of this Resolution and not inconsistent with the provisions hereof.

SECTION 13. This Resolution shall take effect immediately upon its adoption.

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

PASSED, APPROVED and ADOPTED this 19th day of January, 2016.

PAUL S. LEON, MAYOR

ATTEST:

VICKI KASAD, MMC, ASSISTANT CITY CLERK

APPROVED AS TO LEGAL FORM:

BEST BEST & KRIEGER LLP
CITY ATTORNEY

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

I, VICKI KASAD, Assistant 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 January 19, 2016 by the following roll call vote, to wit:

AYES: COUNCIL MEMBERS:

NOES: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

VICKI KASAD, MMC, ASSISTANT 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 January 19, 2016.

VICKI KASAD, MMC, ASSISTANT CITY CLERK

(SEAL)

EXHIBIT A

OFFICIAL BALLOT

CITY OF ONTARIO
January 19, 2016

SPECIAL ELECTION

This ballot is for a special, landowner election. The number of votes to be voted pursuant to this ballot is _____.

INSTRUCTIONS TO VOTERS:

To vote on the measure, mark a cross (+) in the voting square after the word "YES" or after the word "NO". All distinguishing marks or erasures are forbidden and make the ballot void. If you wrongly mark, tear, or deface this ballot, return it to the City Clerk of the City of Ontario and obtain another.

CITY OF ONTARIO
COMMUNITY FACILITIES DISTRICT NO. 36
(EUCALYPTUS 190)

MEASURE SUBMITTED TO VOTE OF VOTERS: Shall the City of Ontario Community Facilities District No. 36 (Eucalyptus 190) (the "Community Facilities District") be authorized to incur bonded indebtedness in a maximum aggregate amount of not to exceed \$21,000,000 and levy a special tax in order to finance certain facilities and services and shall the annual appropriations limit of the Community Facilities District be established in the amount of \$21,000,000, all as specified in the Resolution entitled "A Resolution of the City Council of the City of Ontario, California, of Formation of the City of Ontario Community Facilities District No. 36 (Eucalyptus 190), Authorizing the Levy of a Special Tax within the Community Facilities District and Establishing an Appropriations Limit for the Community Facilities District" and the Resolution entitled "A Resolution of the City Council of the City of Ontario, California, Deeming it Necessary to Incur Bonded Indebtedness within the City of Ontario Community Facilities District No. 36 (Eucalyptus 190)," each adopted by the City Council of the City of Ontario on January 19, 2016?

Yes: ☐

No: ☐

RESOLUTION NO. _____

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

WHEREAS, on January 19, 2016, the City Council (the "City Council") of the City of Ontario (the "City"), pursuant to the Mello-Roos Community Facilities Act of 1982 (the "Act"), adopted a resolution entitled "A Resolution of the City Council of the City of Ontario, California, Calling Special Election for City of Ontario Community Facilities District No. 36 (Eucalyptus 190)" (the "Resolution Calling Election"), calling for a special election of the qualified electors within City of Ontario Community Facilities District No. 36 (Eucalyptus 190) (the "Community Facilities District"); and

WHEREAS, pursuant to the terms of the Resolution Calling Election and the provisions of the Act, the special election was held on January 19, 2016; and

WHEREAS, the City Clerk of the City (the "City Clerk") has certified the canvass of the returns of the election and has filed a Canvass and Statement of Results of Election (the "Canvass"), a copy of which is attached hereto as Exhibit A;

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

SECTION 1. The City Council has received, reviewed and hereby accepts the Canvass.

SECTION 2. The City Council hereby finds and declares that the ballot proposition submitted to the qualified electors of the Community Facilities District pursuant to the Resolution Calling Election has been passed and approved by such electors in accordance with Section 53328, Section 53355 and Section 53325.7 of the Act.

SECTION 3. The City Clerk is hereby directed to execute and cause to be recorded in the office of the County Recorder of the County of San Bernardino a notice of special tax lien in the form required by the Act, said recording to occur no later than fifteen days following adoption by the City Council of this Resolution.

SECTION 4. The officers, employees and agents of the City are hereby authorized and directed to take all actions and do all things which they, or any of them, may deem necessary or desirable to accomplish the purposes of this Resolution and not inconsistent with the provisions hereof.

SECTION 5. This Resolution shall take effect immediately upon its adoption.

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

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

PAUL S. LEON, MAYOR

ATTEST:

VICKI KASAD, MMC, ASSISTANT CITY CLERK

APPROVED AS TO LEGAL FORM:

BEST BEST & KRIEGER LLP
CITY ATTORNEY

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

I, VICKI KASAD, Assistant 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 January 19, 2016 by the following roll call vote, to wit:

AYES: COUNCIL MEMBERS:

NOES: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

VICKI KASAD, MMC, ASSISTANT 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 January 19, 2016.

VICKI KASAD, MMC, ASSISTANT CITY CLERK

(SEAL)

EXHIBIT A

CITY OF ONTARIO
COMMUNITY FACILITIES DISTRICT NO. 36
(EUCALYPTUS 190)

CANVASS AND STATEMENT OF RESULTS OF ELECTION

I hereby certify that on January 19, 2016, I canvassed the returns of the special election held on January 19, 2016, for the City of Ontario Community Facilities District No. 36 (Eucalyptus 190), that the total number of ballots cast in said Community Facilities District and the total number of votes cast for and against the proposition are as follows and that the totals as shown for and against the proposition are true and correct:

	Qualified Landowner <u>Votes</u>	Votes <u>Cast</u>	<u>YES</u>	<u>NO</u>
City of Ontario Community Facilities District No. 36 (Eucalyptus 190) Special Election, January 19, 2016	—	—	—	0

MEASURE SUBMITTED TO VOTE OF VOTERS: Shall the City of Ontario Community Facilities District No. 36 (Eucalyptus 190) (the "Community Facilities District") be authorized to incur bonded indebtedness in a maximum aggregate amount of not to exceed \$21,000,000 and levy a special tax in order to finance certain facilities and services and shall the annual appropriations limit of the Community Facilities District be established in the amount of \$21,000,000, all as specified in the Resolution entitled "A Resolution of the City Council of the City of Ontario, California, of Formation of the City of Ontario Community Facilities District No. 36 (Eucalyptus 190), Authorizing the Levy of a Special Tax within the Community Facilities District and Establishing an Appropriations Limit for the Community Facilities District" and the Resolution entitled "A Resolution of the City Council of the City of Ontario, California, Deeming it Necessary to Incur Bonded Indebtedness within the City of Ontario Community Facilities District No. 36 (Eucalyptus 190)," each adopted by the City Council of the City of Ontario on January 19, 2016?

IN WITNESS WHEREOF, I HAVE HEREUNTO SET MY HAND this 19th day of January, 2016.

By: _____
Assistant City Clerk

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, LEVYING SPECIAL TAXES WITHIN THE CITY OF ONTARIO COMMUNITY FACILITIES DISTRICT NO. 36 (EUCALYPTUS 190).

WHEREAS, on December 1, 2015, 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. 36 (Eucalyptus 190), and to Authorize the Levy of Special Taxes" stating its intention to establish City of Ontario Community Facilities District No. 36 (Eucalyptus 190) (the "Community Facilities District") and to finance certain public facilities (the "Facilities") and services (the "Services"); and

WHEREAS, on January 19, 2016, the City Council held a noticed public 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. 36 (Eucalyptus 190), 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 the City of Ontario Community Facilities District No. 36 (Eucalyptus 190)" and "A Resolution of the City Council of the City of Ontario, California, Calling Special Election for City of Ontario Community Facilities District No. 36 (Eucalyptus 190)", 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 January 19, 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 amount 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 Assistant 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 Assistant City Clerk shall post a certified copy of this ordinance, including the vote for and against the same, in the Office of the City Clerk, in accordance with Government Code Section 36933.

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

PAUL S. LEON, MAYOR

ATTEST:

VICKI KASAD, MMC, ASSISTANT CITY CLERK

APPROVED AS TO FORM:

BEST BEST & KRIEGER LLP
CITY ATTORNEY

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

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

AYES: COUNCIL MEMBERS:

NOES: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

VICKI KASAD, MMC, ASSISTANT CITY CLERK

(SEAL)

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

VICKI KASAD, MMC, ASSISTANT CITY CLERK

(SEAL)

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, AUTHORIZING THE EXECUTION AND DELIVERY OF AN ACQUISITION AND FUNDING AGREEMENT WITH RICHLAND ONTARIO DEVELOPERS, LLC, A DELAWARE LIMITED LIABILITY COMPANY.

WHEREAS, certain real property within the boundaries of the City located generally south of State Route 60 is commonly known as the New Model Colony; and

WHEREAS, the City has approved a General Plan Amendment for the New Model Colony, which has been supplemented by certain water, recycled water and sewer master plans (as so supplemented, the "General Plan Amendment") and has certified an Environmental Impact Report and adopted a Mitigated Negative Declaration in connection with the General Plan Amendment (together, the "Environmental Impact Report"); and

WHEREAS, the City has specified in the General Plan Amendment and the Environmental Impact Report the major backbone transportation, water, sewer, storm drainage, parks, public safety infrastructure and fiber optic systems required to serve the New Model Colony; and

WHEREAS, the New Model Colony is now commonly referred to as the Ontario Ranch;

WHEREAS, Richland Ontario Developers, LLC, a Delaware limited liability company (the "Developer") is developing certain of the property within the Ontario Ranch that is owned by Warm Springs NMC, LLC (the "Property"); and

WHEREAS, certain of such major backbone infrastructure is required to serve the Property; and

WHEREAS, the City and the Developer desire to provide a mechanism to fund, in a timely manner, the costs of certain of such major backbone infrastructure required to serve the Ontario Ranch (the "Facilities") so that such development may occur; and

WHEREAS, in order to provide such a mechanism, the City has, pursuant to the provisions of the Mello-Roos Community Facilities Act of 1982 (the "Act"), established City of Ontario Community Facilities District No. 36 (Eucalyptus 190) (the "Community Facilities District"), the boundaries of which include the Property; and

WHEREAS, the Community Facilities District is authorized to levy special taxes within the Community Facilities District (the "Special Taxes") and issue special tax bonds (the "Bonds") secured by the Special Taxes in order to finance certain of the Facilities; and

WHEREAS, it is anticipated that Special Taxes will be levied by the Community Facilities District and that, from time to time, Bonds will be issued by the Community Facilities District; and

WHEREAS, the Developer proposes to construct, or cause to be constructed, certain of the Facilities proposed to be financed by the Community Facilities Districts pursuant to the Act, and the City proposes to purchase such Facilities from the Developer pursuant to an Acquisition and Funding Agreement by and between the City and the Developer (such Acquisition and Funding Agreement, in the form presented to this meeting, with such changes, insertions and omissions as are made pursuant to this Resolution, being referred to herein as the "Acquisition Agreement"); and

WHEREAS, the City Council is the legislative body of the Community Facilities District;

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

SECTION 1. The Acquisition Agreement, in substantially the form submitted to this meeting and made a part hereof as though set forth herein, be and the same is hereby approved. Each of the Mayor of the City, and such other member of the City Council as the Mayor may designate, the City Manager of the City and the Administrative Services/Finance Director of the City, and such other officer or employee of the City as the City Manager may designate (the "Authorized Officers") is hereby authorized, and any one of the Authorized Officers is hereby directed, for and in the name of the City, to execute and deliver the Acquisition Agreement in the form submitted to this meeting, with such changes, insertions and omissions as the Authorized Officer executing the same may require or approve, such requirement or approval to be conclusively evidenced by the execution of the Acquisition Agreement by such Authorized Officer.

SECTION 2. The officers, employees and agents of the City are hereby authorized and directed to take all actions and do all things which they, or any of them, may deem necessary or desirable to accomplish the purposes of this Resolution and not inconsistent with the provisions hereof.

SECTION 3. This Resolution shall take effect immediately upon its adoption.

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

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

PAUL S. LEON, MAYOR

ATTEST:

VICKI KASAD, MMC, ASSISTANT CITY CLERK

APPROVED AS TO LEGAL FORM:

BEST BEST & KRIEGER LLP
CITY ATTORNEY

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

I, VICKI KASAD, Assistant 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 January 19, 2016 by the following roll call vote, to wit:

AYES: COUNCIL MEMBERS:

NOES: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

VICKI KASAD, MMC, ASSISTANT 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 January 19, 2016.

VICKI KASAD, MMC, ASSISTANT CITY CLERK

(SEAL)

CITY OF ONTARIO

Agenda Report
January 19, 2016

SECTION:
PUBLIC HEARINGS

SUBJECT: A PUBLIC HEARING TO CONSIDER A RESOLUTION APPROVING THE DESIGNATION OF THE JOHN J. VOSS HOUSE, LOCATED AT 428 EAST PLAZA SERENA STREET, AS A LOCAL LANDMARK

RECOMMENDATION: That the City Council adopt a resolution approving File No. PHP15-008, designating 428 East Plaza Serena Street (APN: 1048-072-21) as Local Landmark No. 96.

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

FISCAL IMPACT: The approval of the Local Historic Landmark designation will not have a direct fiscal impact. However, if the designation is approved, the property owner will be eligible to apply for a Mills Act Contract which, if approved, would provide for a potential reduction in property taxes in exchange for an agreed-upon list of improvements to the property.

BACKGROUND: Lori Ayala (property owner) requested that the John J. Voss House, located at 428 East Plaza Serena Street, be designated as a Local Historic Landmark. The John J. Voss House was constructed in the Mediterranean Revival Bungalow style in the late 1920s. The Bungalow is one of the most common types of home in Ontario with architectural style variations such as Colonial Revival, Victorian, Craftsman, and Mediterranean Revival. The Mediterranean Revival style is a mix of various elements and influences and is the second most prevalent style in Ontario. It incorporates features and elements from the Spanish Colonial and Moorish Architecture in Spain and Portugal, Italian architecture, as well as the California Missions. Most 1920s Mediterranean Revival buildings were influenced by rural Italian villas and could be termed as a Rural Tuscan style.

HISTORIC SIGNIFICANCE: On December 22, 2015, the Historic Preservation Commission/Planning Commission voted unanimously (5-0) to recommend that the City Council designate the John J. Voss House as a Local Historic Landmark pursuant to the following criteria contained in the Historic Preservation Ordinance (Chapter 4, Sec. 4.02.040 of the Ontario Development Code):

STAFF MEMBER PRESENTING: Scott Murphy, Planning Director

Prepared by: Elly Antuna
Department: Planning

City Manager
Approval: 

Submitted to Council/O.H.A. 01/19/2016

Approved: _____

Continued to: _____

Denied: _____

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1. *It embodies distinguishing architectural characteristics of a style, type, period, or method of construction.*

The John J. Voss House is a fine example of the Mediterranean Revival Bungalow style of architecture which is evidenced by the survival of the home's Character-defining features. The Mediterranean Revival Bungalow style is the second most prevalent style in Ontario. The home retains many of its original features and includes unique details that exemplify the Mediterranean Revival Bungalow style, including a red tile roof, stucco walls, arcades and wood framed casement and Palladian style windows. The only known alterations to the building are three window replacements and an addition on the west elevation of the detached garage, which do not detract from the historic resource and are easily reversible.

ENVIRONMENTAL REVIEW: The application was reviewed pursuant to the California Environmental Quality Act (Public Resources Code Section 21000 et seq.) ("CEQA"). Per Section 21065 of the CEQA Guidelines, the local landmark designation is not considered a project.

PLANNING / HISTORIC PRESERVATION COMMISSION STAFF REPORT



DATE: December 22, 2015

FILE NO.: PHP15-008

SUBJECT: A request to designate a Tier III Historic Resource as a Local Landmark

LOCATION: 428 East Plaza Serena Street (APN: 1048-072-21)

APPLICANT: Lori Ayala

PROPERTY OWNER: Lori Ayala

I. RECOMMENDATION:

That the Historic Preservation/Planning Commission recommend that the City Council designate the John J. Voss House, located at 428 East Plaza Serena Street, Local Historic Landmark No. 96.

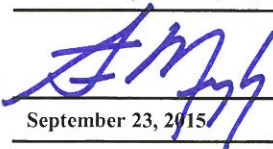
II. ARCHITECTURAL DESCRIPTION:

Historic Name: The John J. Voss House
Architectural Style: Mediterranean Revival Bungalow
Date Built: 1928 (est.)

The John J. Voss House is a single story, Mediterranean Revival Bungalow style single family residence. The 1,340 square foot house is situated on 0.103 acres of land and is U-shaped in plan. It has a cross gabled, low-pitch roof with raked eaves, small overhang and is covered with red clay s-tiles. The John J. Voss House is clad in stucco. The arcade entryway with a decorative arch that leads to a small front porch with a pony wall and smooth stucco finish.



Case Planner: Zulema Elly Antuna, Assistant Planner

Planning Director Approval: 

Submittal Date: September 23, 2015

Hearing Deadline: _____

Hearing Body	Date	Decision	Action
HPSC:	11/12/2015	Approval	Recommend
PC / HPC:	12/22/2015	<u>Approved</u>	Recommend
CC:			Final

The front (north) elevation features three sets of six-pane, wood frame, casement windows. A focal point on the primary façade is a Palladian window that includes a combination of fixed and casement windows. The Palladian window's bell arch shape is replicated on the arches of the arcade entryways. A majority of the windows on the resource are six-pane, wood frame, casement windows.

There is a two-car detached garage at the rear of the property, accessible from Sultana Avenue, that has a flat roof and stucco finish. Alterations to the resource include: kitchen garden windows on the east elevation, a simulated divided light grid-pattern vinyl window replacement on the south elevation, a vinyl single-hung bathroom window on the west elevation, and an addition on the west elevation of the detached garage. The alterations are minor in nature, are easily reversible, and do not detract from the historic resource. The property is landscaped with numerous shrubs, rose bushes, and palms.

III. HISTORIC CONTEXT:

Although the "bungalow" is more of a type of home than an architectural style, it is recognized to address the modest sized homes built from the late 1900s to 1940. The Bungalow style was adapted from many popular period architectural styles. The Bungalow started in California in the early 1910s, primarily as an outgrowth of the Craftsman style. Bungalows are simple houses designed to address the need for affordable housing. Bungalow floor plans are informal with open spaces. Although there are many large, two-story bungalows, most bungalows were typically single story.

The Bungalow became the first style of home to be built on a mass scale by contractor-builders, often times utilizing design drawings from various mail order catalogs. The Bungalow is one of the most common types of home in Ontario with architectural style variations such as Colonial Revival, Victorian, Craftsman, and Mediterranean Revival. However in California, a prominent variation of the Bungalow that included Craftsman and Mediterranean architectural elements was popularized. The Mediterranean Revival Bungalow style is the second most prevalent style in Ontario. The home retains many of its original features and includes unique details that exemplify the Mediterranean Revival Bungalow style, including a red tile roof, stucco walls, arcades and wood framed casement windows.

The Mediterranean Revival style is a mix of various elements and influences. It incorporates features and elements from the Spanish Colonial and Moorish Architecture in Spain and Portugal, Italian architecture, as well as the California Missions. Most 1920s Mediterranean Revival buildings were influenced by rural Italian villas and could be termed as a Rural Tuscan style.

The John J. Voss house is located in the potential Granada Historic District. The neighborhood consists primarily of bungalows in the Mediterranean Revival, Tudor Revival, Craftsman and Minimal Traditional architectural styles. This home contributes to a visual record and an overall historic sense of how the area was developed. Based on Sanborn

maps, building records and newspaper articles, the home appears to have been constructed in 1928. According to city directories, the first occupants of the home were John and Mary Voss who resided in the home from 1931 until the late 1970s. John J. Voss was a factory worker for Edison General Electric Company. In 2006, the current owner, Lori Ayala, purchased the property.

IV. LANDMARK DESIGNATION CRITERIA:

Eligible historic resources may be considered for Landmark designation if the property can meet one or more designation criteria for local designation as contained in the Historic Preservation Ordinance, (Sec. 9-1.2615 of the Development Code). On November 12, 2015, the Historic Preservation Subcommittee determined that the John J. Voss House, located at 428 East Plaza Serena Street, was a Tier III Historic Resource, and recommended local landmark approval finding that it met the following designation criteria:

1. It embodies distinguishing architectural characteristics of a style, type, period, or method of construction:

The John J. Voss House is a fine example of the Mediterranean Revival Bungalow style of architecture which is evidenced by the survival of the home's character-defining Features. The Mediterranean Revival Bungalow style is the second most prevalent style in Ontario. The home retains many of its original features and includes unique details that exemplify the Mediterranean Revival Bungalow style, including a red tile roof, stucco walls, arcades and wood framed casement and Palladian style windows. The only known alterations to the building are three window replacements and an addition on the west elevation of the detached garage which do not detract from the historic resource and are easily reversible.

V. COMPLIANCE WITH THE ONTARIO PLAN:

The proposed landmark designation is consistent with the principles, goals and policies contained within the Vision, Governance, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan (TOP). More specifically, the goals and policies of TOP that are furthered by the proposed landmark designation are as follows:

Vision

DYNAMIC BALANCE

An appreciation for the "personality and charm" of this community, preserving important characteristics and values even as growth and change occur, all the while retaining a distinctive local feel where people love to be.

City Council Priorities

Primary Goal:

Regain local Control of the Ontario International Airport.

Supporting Goals:

- Focus Resources in Ontario's Commercial and Residential Neighborhoods; and
- Encourage, Provide or Support Enhanced Recreational, Educational, Cultural and Healthy City Programs, Policies and Activities.

Policy Plan

CD 4: *Goal:* Historic buildings, streets, landscapes and neighborhoods, as well as the story of Ontario's people, businesses, and social and community organizations, that have been preserved and serve as a focal point for civic pride and identity.

The proposed local landmark designation supports preservation of the neighborhood streetscape and context.

CD 4-6: *Promotion of Public Involvement in Preservation.* We engage in programs to publicize and promote the City's and the public's involvement in preservation efforts.

The proposed local landmark designation requires owner participation and recognizes and promotes preservation efforts.

RESOLUTION NO. PC15-076

A RESOLUTION OF THE ONTARIO HISTORIC PRESERVATION COMMISSION RECOMMENDING THAT THE CITY COUNCIL APPROVE FILE NO. PHP15-008, TO DESIGNATE THE JOHN J. VOSS HOUSE, LOCATED AT 428 EAST PLAZA SERENA STREET, AS A LOCAL HISTORIC LANDMARK (APN: 1048-072-21)

WHEREAS, Lori Ayala, property owner, ("Applicant") has filed an application for the approval of a Local Historic Landmark Designation, File No. PHP15-008, as described in the title of this Resolution (hereinafter referred to as "Project"); and

WHEREAS, the City's character and history are reflected in its cultural, historical, and architectural heritage, with an emphasis on the "Model Colony" as declared by an act of the Congress of the United States and presented at the St. Louis World's Fair in 1904; and

WHEREAS, the City's historical foundations should be preserved as living parts of community life and development in order to foster an understanding of the City's past so that future generations may have a genuine opportunity to appreciate, enjoy, and understand Ontario's rich heritage; and

WHEREAS, the Community Design element The Ontario Plan (General Plan) sets forth Goals and Policies to conserve Ontario's historic buildings and districts; and

WHEREAS, the John J. Voss House, a Mediterranean Revival Bungalow style home constructed in 1928 (est.), located at 428 East Plaza Serena Street (APN: 1048-072-21) is worthy of preservation and designation as a Local Historic Landmark; and

WHEREAS, on November 12, 2015, the Historic Preservation Subcommittee reviewed this property and determined that it met local landmark designation criteria as a Tier III historic resource as set forth in Article 26, Historic Preservation Ordinance of the Ontario Development Code (Sec. 9-1.2615); and

WHEREAS, the Historic Preservation Commission has reviewed this property and determined that it meets the local landmark criteria as set forth in Article 26, Historic Preservation Ordinance of the Ontario Development Code (Sec. 9-1.2615).

NOW, THEREFORE, IT IS HEREBY FOUND, DETERMINED, AND RESOLVED by the Historic Preservation Commission of the City of Ontario, as follows:

SECTION 1. As the recommending body for the Project, the Historic Preservation Commission has reviewed and considered the information contained in the administrative record for the Project. Based upon the facts and information contained in the administrative record, including all written and oral evidence presented to the Historic Preservation Commission, the Historic Preservation Commission finds as follows:

a. The designation is not considered a project pursuant to Section 21065 of the CEQA Guidelines.

SECTION 2. Based upon the substantial evidence presented to the Historic Preservation Commission during the above-referenced hearing and upon the specific findings set forth in Section 1 above, the Historic Preservation Commission hereby concludes as follows:

- a. FINDING: It meets the criteria for local landmark designation as contained in the Historic Preservation Ordinance (Sec. 9-1.2615 of the Development Code); *It embodies distinguishing architectural characteristics of a style, type, period, or method of construction:*
- b. FACT: The John J. Voss House is a fine example of the Mediterranean Revival Bungalow style of architecture which is evidenced by the survival of the home's Character-defining Features. The Mediterranean Revival Bungalow style is the second most prevalent style in Ontario. The home retains many of its original features and includes unique details that exemplify the Mediterranean Revival Bungalow style, including a red tile roof, stucco walls, arcades and wood framed casement and Palladian style windows. The only known alterations to the building are three window replacements and an addition on the west elevation of the detached garage which do not detract from the historic resource and are easily reversible.

SECTION 3. Based upon findings set forth in Sections 1 and 2 above, the Historic Preservation Commission hereby recommends City Council approval of the landmark designation.

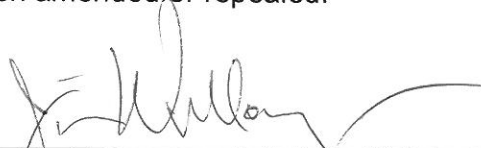
SECTION 4. The Applicant shall agree to defend, indemnify and hold harmless, the City of Ontario or its agents, officers, and employees from any claim, action or proceeding against the City of Ontario or its agents, officers or employees to attack, set aside, void or annul this approval. The City of Ontario shall promptly notify the applicant of any such claim, action or proceeding, and the City of Ontario shall incorporate fully in the defense.

SECTION 5. The documents and materials that constitute the record of proceedings on which these findings have been raised are located at 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 secretary shall certify to the adoption of the Resolution.

The Secretary Pro Tempore for the Historic Preservation Commission of the City of Ontario shall certify as to the adoption of this Resolution.

I hereby certify that the foregoing Resolution was duly and regularly introduced, passed and adopted by the Planning Commission of the City of Ontario at a regular meeting thereof held on the 22nd day of December, 2015, and the foregoing is a full, true and correct copy of said Resolution, and has not been amended or repealed.



Jim Willoughby
Historic Preservation Commission
Chairman

ATTEST:



Scott Murphy
Planning Director/Secretary of Historic
Preservation Commission

Historic Preservation Commission Resolution
File No. PHP15-008
December 22, 2015
Page 4

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

I, Marci Callejo, Secretary Pro Tempore of the Historic Preservation Commission of the City of Ontario, DO HEREBY CERTIFY that foregoing Resolution No. PC15-076 was duly passed and adopted by the Historic Preservation Commission of the City of Ontario at their regular meeting held on December 22, 2015 by the following roll call vote, to wit:

AYES: Delman, Downs, Gregorek, Mautz, Willoughby

NOES: None

ABSENT: Gage, Ricci

ABSTAIN: None



Marci Callejo
Secretary Pro Tempore

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING FILE NO. PHP15-008, THE DESIGNATION OF THE JOHN J. VOSS HOUSE, LOCATED AT 428 EAST PLAZA SERENA STREET, AS LOCAL HISTORIC LANDMARK NO. 96, AND MAKING FINDINGS IN SUPPORT THEREOF (APN: 1048-072-21).

WHEREAS, Lori Ayala ("Applicant") has filed an Application for the approval of a Local Historic Landmark Designation, File No. PHP15-008, as described in the title of this Resolution (hereinafter referred to as "Application" or "Project"); and

WHEREAS, the City's character and history are reflected in its cultural, historical, and architectural heritage with an emphasis on the "Model Colony" as declared by an act of the Congress of the United States and presented at the St. Louis World's Fair in 1904; and

WHEREAS, the City's historical foundations should be preserved as living parts of community life and development in order to foster an understanding of the City's past so that future generations may have a genuine opportunity to appreciate, enjoy, and understand Ontario's rich heritage; and

WHEREAS, the Community Development and the Aesthetic, Cultural, Open Space and Recreational Resources Elements of The Ontario Plan set forth goals and policies to conserve Ontario's historic buildings and districts; and

WHEREAS, the John J. Voss House is a Mediterranean Revival Bungalow style home constructed in 1928 (est.), located at 428 East Plaza Serena Street (APN: 1048-072-21), and is legally described as BALDWINS SUB NORTH 92 FOOT LOT 1; and

WHEREAS, on November 12, 2015, the Historic Preservation Subcommittee reviewed this property and determined that it met local landmark designation criteria as set forth in the City's Historic Preservation Ordinance (Div. 4.02.040); and

WHEREAS, on December 22, 2015, the Historic Preservation Commission reviewed this property and unanimously recommended approval, adopting its Resolution No. PC15-076.

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 administrative record for the Project. Based upon the facts and information contained in the administrative record, including all written and oral evidence presented to the City Council, the City Council finds that the designation is not considered a project pursuant to Section 21065 of the CEQA Guidelines.

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:

1. **FINDING:** It meets the criteria for local landmark designation as contained in the Historic Preservation Ordinance (Dev. 4.02.040 of the Ontario Development Code); *It embodies distinguishing architectural characteristics of a style, type, period, or method of construction:*

FACT: The John J. Voss House is a fine example of the Mediterranean Revival Bungalow style of architecture which is evidenced by the survival of the home's character-defining features. The Mediterranean Revival Bungalow style is the second most prevalent style in Ontario. The home retains many of its original features and includes unique details that exemplify the Mediterranean Revival Bungalow style, including a red tile roof, stucco walls, arcades and wood framed casement and Palladian style windows. The only known alterations to the building are three window replacements and an addition on the west elevation of the detached garage which do not detract from the historic resource and are easily reversible.

SECTION 3. Based upon the findings and conclusions set forth in Sections 1 and 2 above, the City Council hereby approves and designates the John J. Voss House, located at 428 East Plaza Serena Street, as Local Historic Landmark No. 96 and that is subject to the provisions of the Historic Preservation Ordinance.

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 of the City of Ontario, California, shall cause a copy of this Resolution to be recorded in the office of the County Recorder of San Bernardino, County, California.

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

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

PAUL S. LEON, MAYOR

ATTEST:

VICKI KASAD, MMC, ASSISTANT CITY CLERK

APPROVED AS TO LEGAL FORM:

BEST BEST & KRIEGER LLP
CITY ATTORNEY

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

I, VICKI KASAD, Assistant 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 January 19, 2016 by the following roll call vote, to wit:

AYES: COUNCIL MEMBERS:

NOES: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

VICKI KASAD, MMC, ASSISTANT 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 January 19, 2016.

VICKI KASAD, MMC, ASSISTANT CITY CLERK

(SEAL)

CITY OF ONTARIO

Agenda Report
January 19, 2016

**SECTION:
PUBLIC HEARINGS**

SUBJECT: INTRODUCTION OF ORDINANCES AMENDING CHAPTERS 3, 7 AND 8B OF TITLE 6 OF THE ONTARIO MUNICIPAL CODE RELATING TO SOLID WASTE, SEWER AND WATER SERVICES AND FEES

RECOMMENDATION: That the City Council conduct a public hearing to:

- (A) Consider all written protests against the proposed increases in the rates for solid waste, sewer and water services in accordance with California Constitution, Article XIII D, Section 6(a); and
- (B) Introduce and waive further reading of ordinances amending Chapter 3, of Title 6 of the Ontario Municipal Code related to solid waste services and authorizing increases to the rates for solid waste service charges and fees; and
- (C) Introduce and waive further reading of ordinances amending Chapter 7, of Title 6 of the Ontario Municipal Code related to sewer services and authorizing increases to the rates for sewer service charges and fees; and
- (D) Introduce and waive further reading of ordinances amending Chapter 8B, of Title 6 of the Ontario Municipal Code relating to water services and authorizing increases to the rates for water service charges and fees.

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

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

FISCAL IMPACT: A review of the service charges for the Utilities Enterprise Funds (Solid Waste, Sewer and Water) has been prepared covering Fiscal Year 2015-16 and Fiscal Year 2016-17. This review is provided as Exhibit "A" to the ordinances and is incorporated by reference as part of the administrative record. Current service charges for solid waste, sewer and water will not provide adequate revenues to meet operational needs through FY 2016-17; therefore, rate increases are

STAFF MEMBER PRESENTING: Scott Burton, Utilities General Manager

Prepared by: Michael Sigsbee
Department: MU/Administration

City Manager
Approval: 

Submitted to Council/O.H.A. 01/19/2016

Approved: _____

Continued to: _____

Denied: _____

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recommended for each of these services on March 4, 2016 and January 2017. The current average residential combined utility bill (solid waste, sewer and water) for City charges is \$106.52 per month. These recommendations will result in an average monthly increase of \$1.88, or 1.8%, in the first year and \$1.88, or 1.7%, in the second year.

BACKGROUND: Pursuant to Proposition 218 (California Constitution, Article XIII D, Section 6), the City is required to comply with the following procedures prior to increasing solid waste, sewer and water services fees and charges:

Proposition 218 Procedure

1. Parcels upon which the increased fee or charge is proposed to be imposed have been identified, and Proposition 218 Notice "Notice" was mailed on December 4, 2015 to (a) the record owner (as defined in California Government Code Section 53750(j) (the "Owner") of each identified parcel (as defined in California Government Code Section 53750(g); and (b) any customer of record who, at the time the notice is mailed, has a billing account with the City and is directly liable to pay the fee ("Customer") for an identified parcel.
2. The Notice contained (a) the amount of the fee or charge; (b) the basis on which it was calculated; (c) reason for the increase; and (d) the date, time, and location the City Council will conduct a public hearing on the proposed increase.
3. A public hearing was scheduled for January 19, 2016 (at least 45 days after the Notice was mailed) to consider all written protests against the proposed increase to the fee or charge. If at the conclusion of the hearing written protests against the proposed increased fee are presented by a majority of Owners/Customers of parcels to be charged, the City may not increase the fee.

Resolution 2007-097 (Adopted on August 21, 2007) established the following procedures for considering protests against proposed rate increases in accordance with California Constitution, Article XIII D, Section 6(a):

1. Each Owner or Customer may submit one written protest per parcel. Each protest must be submitted to the City Clerk at 303 East "B" Street, Ontario, California 91764, or in person at the public hearing.
2. All protests must be received by the City Clerk by the close of the public hearing. Any protest received after the close of the public hearing, even if postmarked prior to that time, will not be accepted or counted.
3. Each protest must be in writing and provide the location of the identified parcel (by assessor's parcel number or street address) and include the signature of the Owner or Customer. Protests submitted by e-mail will not be accepted. Although oral comments or testimony at the public hearing will not qualify as a formal written protest, the City Council welcomes input from the public during the public hearing on the proposed fee.
4. To be valid, a protest must (a) state that it is in opposition to the proposed fee; and (b) contain the original signature of an Owner or Customer of the identified parcel. Any protest that does not contain this information or an original signature of either an Owner or Customer shall not be tabulated.

5. Any Owner or Customer who submits a protest may withdraw it by submitting a written request to withdraw the protest. The request must be submitted to the City Clerk prior to the close of the public hearing either at 303 East “B” Street, Ontario, California 91764, or in person at the public hearing. The withdrawal of a protest must include the location of the identified parcel (by assessor’s parcel or street address) and include the original signature of the Owner or Customer who submitted the protest. Only the Owner or Customer who submitted the protest may withdraw it. A request to withdraw a protest submitted by e-mail will not be accepted.
6. If an identified parcel is owned by more than a single Owner or more than one name appears on the City’s records as the Customer for the identified parcel, or if the Customer is not the Owner, each Owner or Customer may submit a protest; provided, however, only one protest will be counted per identified parcel. Any one protest submitted in accordance with these procedures shall be sufficient to count as a protest for that identified parcel.
7. The City Clerk shall determine the validity of all protests. The City Clerk shall not accept as valid any protest if the City Clerk determines that any of the following conditions exist:
 - a. The protest is not in writing.
 - b. The protest does not provide the location of the identified parcel by either assessor’s parcel number or street address.
 - c. The protest does not contain an original signature of an Owner or Customer of the property identified on the protest.
 - d. The protest does not state its opposition to the proposed fee which is the subject of the protest proceeding.
 - e. The protest is not received by the City Clerk prior to the close of the public hearing on the proposed fee.
 - f. A valid request to withdraw the protest is received prior to the close of the public hearing on the proposed fee.
8. The City Clerk’s decision regarding the validity of a protest or a request for the withdrawal of a protest shall constitute a final action of the City and shall not be subject to any internal appeal.
9. The City Clerk may begin to tabulate protests at any time after the close of the public hearing on the proposed fee. In the event the City Clerk cannot complete the tabulation of the protests before the conclusion of the City Council meeting, the City Council may continue the action to impose or not impose the fee to another City Council meeting date. The continuation of the action on the item to another meeting does not reopen the public hearing on the proposed fee.
10. A majority protest exists if valid written protests are timely submitted and not withdrawn by the Owners of or Customers with respect to, a majority of the identified parcels.

Proposed Rates & Ordinance Changes

Utility services for solid waste, sewer and water are operated as separate Enterprise Funds and are not commingled with the City’s General Fund. These utility services are funded by fees and charges (rates) and the budgets are set annually. Rates and services are reviewed periodically (see Exhibit “A” Rate

Report to the ordinances, incorporated by reference as part of the administrative record) to ensure that the established service rates are:

- a. Adequate to recover costs reasonably borne in providing the services;
- b. Equitable to all customer classes;
- c. In compliance with all State and Federal regulations; and
- d. Easily explained to customers.

The basis and reasons for the proposed increases are to enable the City to recover operating expenses, and to maintain the operational and financial stability of the utilities, while maintaining our commitment to provide the highest quality services at the lowest possible rates for our customers. The proposed rates are based on multi-year financial plans. The multi-year financial plans assess the City's revenue requirements for both operations and capital facilities for solid waste, sewer and water including information from the most recent master plans. The proposed rate increases will occur on March 4, 2016 and January 1, 2017.

The current and proposed rates as well as other minor changes to reflect current operating practices and legislative mandates are set forth in the attached ordinances amending Chapters 3, 7 and 8B of Title 6, of the Ontario Municipal Code relating to services and fees for solid waste, sewer and water services.

Solid Waste

Solid Waste Utility Fund expenses consist of landfill disposal costs including handling, transfer, and recycling services; operation and maintenance (O&M) expenses including collection and hauling, household hazardous waste, general overhead costs related to supervision, utility billing and customer service, cost allocations to the General Fund for City provided services; street sweeping and illegal dumping clean up services; and a capital improvement program.

The Solid Waste Utility Fund faces many challenges in the coming years that continue to increase the cost of providing solid waste services. Some of these challenges are:

- Increasing handling, transfer and landfill disposal costs; and
- Legislative mandates related to expanded diversion and recycling in order to help reduce greenhouse gas emissions, such as commercial and industrial recycling, food waste recycling, and tire, mattress, and electronic waste handling and recycling.

To offset some of the cost increases associated with handling and disposal and regulatory requirements, the following cost avoidance and cost cutting measures have been implemented which will limit the proposed rate increase to a minimum:

- Extending the useful life of solid waste vehicles to reduce capital replacement cost;
- Increasing operational efficiency to reduce labor cost; and
- Special collection events.

However, the City's current solid waste rates will not generate adequate revenue to cover the City's projected expenditures for solid waste services. The recommended solid waste rate increases will increase the average residential solid waste bill by \$0.27 per month or 1% from the current rate of \$27.14 to the

rate of \$27.41 effective on bills sent on or after March 4, 2016, and by \$0.27 per month or 1% to the rate of \$27.68 effective on bills sent on or after January 1, 2017.

Sewer

The Sewer Utility Fund faces many challenges in the coming years that continue to increase the cost of providing sewer services. Some of these challenges are:

- Increased sewer treatment cost (IEUA Pass-Through);
- Aging sewer system, which requires more frequent maintenance, repairs and replacement; and
- Legislative mandates to ensure adequate sewer capacity and maintenance.

To offset some of the cost increases associated with increasing regulatory requirements and the maintenance and replacement of aging infrastructure, the following cost avoidance and cost cutting measures have been implemented which will limit the proposed rate increase to a minimum:

- Extending the useful life of vehicles and equipment to reduce capital replacement cost; and
- Increasing operational efficiency to reduce labor cost.

The City maintains the sewer collection system to provide a high level of customer service and comply with Federal, State and local laws and regulations, particularly Waste Discharge Requirement (WDR) and Sanitary Sewer Overflow (SSO) regulations. These regulations require that the collection system be properly managed, operated, and maintained at all times and that adequate capacity to convey base flows and peak flows for all parts of the collection system is provided. The SSO regulations require video inspecting of all sewer lines and taking all feasible steps to stop and mitigate the impact of sanitary sewer overflows.

The City contracts with the Inland Empire Utilities Agency (IEUA) for sewer treatment at regional sewer treatment facilities owned and operated by IEUA. The IEUA Board of Directors sets the treatment rate per EDU (equivalent dwelling unit = one single-family residence) which is charged to the City and passed through on the City utility bills.

The recommended increases in the City monthly sewer service charge are needed to fund capital construction replacement projects to correct system deficiencies and improve system reliability, meet operational needs, and comply with mandated SSO regulations.

The City sewer monthly rate is recommended to increase by \$0.13 per EDU or 1% from the current \$13.37 per EDU to \$13.50 per EDU effective on bills sent on or after March 4, 2016 and by \$.013 or 1% to \$13.63 per EUD effective on bills sent on or after January 1, 2017.

Water

The water industry throughout California faces many challenges in the coming years, including the current drought conditions throughout the state. Many of these challenges continue to increase the cost of providing water services. Some of these challenges are:

- The impact of the historic drought on imported water availability, which constitutes approximately one third of the City's water supply;
- The cost of acquiring additional groundwater production rights needed to supplement the City production rights;
- Increased costs to replace and reconstruct aging water facilities and to construct new facilities to correct existing system deficiencies; and
- Legislative mandates related to more stringent Drinking Water Standards and the presence of various plumes of groundwater contaminants, such as nitrates, volatile organics and perchlorate, which reduce the useful life of some of the existing wells, limit the areas where new wells can be drilled, or require expensive water treatment.

To offset some of the cost increases to meet increasing regulatory requirements, pay for more expensive imported water and replace and maintain aging infrastructure, the following cost avoidance and cost cutting measures have been implemented which will limit the proposed rate increase to a minimum:

- Expanding the use of recycled water as an alternative to more expensive imported water supply options;
- Reducing energy cost by controlling time of pumping and use of more efficient motors; and
- Increasing operational efficiency to reduce labor cost.

The recommended water rate will increase the average residential water bill by \$1.48 per month or 2% from the current \$66.01 per month to \$67.49 per month effective on bills sent on or after March 4, 2016, and by \$1.48 per month or 2% to \$68.97 per month effective on bills sent on or after January 1, 2017. The recommended increase in water charges is needed to fund increased imported water costs, capital construction and replacement projects and the increased cost of operations and water treatment.

While an important part of Ontario's water supply, there is rapid escalation in the cost to purchase recycled water from IEUA. As a result, the cost to provide recycled water to Ontario customers has increased. The recommended recycled water rate will increase by \$0.07 (5%) from the current rate of \$1.56 per hundred cubic feet (hcf) to \$1.63 per hcf on March 4, 2016, and by \$0.08 (5%) to \$1.71 on January 1, 2017. The recommended increase in recycled water charges is needed to fund the increased cost to purchase recycled water and capital construction projects.

As a result of the Governor's Executive Order and the subsequent Emergency Drought Conservation Regulations, including a mandatory 24% water use reduction, Ontario's water customers have responded throughout 2015 by conserving and reducing water consumption. Of course, less water being sold impacts the Water Utility's sales revenue as well as expenses like the cost to purchase imported water. The City has considered the drought a temporary condition and will continue to closely monitor consumption in order to allow any permanent changes in water use to stabilize over time. For purposes of this rate update, staff has made significant efforts to minimize the potential impact on rates.

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, AMENDING SUBDIVISIONS (D) AND (E) OF SECTION 6-8.52, OF CHAPTER 8B, OF TITLE 6 OF THE ONTARIO MUNICIPAL CODE RELATING TO WATER SERVICE CONNECTIONS; AND AMENDING SECTION 6-3.107 OF ARTICLE 1 OF CHAPTER 3, OF TITLE 6, ARTICLE 6 OF CHAPTER 3, OF TITLE 6, AND ADDING SECTIONS 6-3.604 AND 6-3.605 TO ARTICLE 6 OF CHAPTER 3, OF TITLE 6 OF THE ONTARIO MUNICIPAL CODE RELATING TO SOLID WASTE MANAGEMENT.

WHEREAS, the City has established certain requirements that a consumer must comply with before making a new water service connection; and

WHEREAS, the City has determined to amend the Ontario Municipal Code to revise certain of the requirements related to such new service connections; and

WHEREAS, the City has adopted regulations governing solid waste management to comply with state law; and

WHEREAS, because of changes in state law, the City has determined that it is appropriate to amend the Ontario Municipal Code to reflect such changes in the state law governing solid waste management.

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

SECTION 1. The City Council hereby finds and determines that the recitals discussed above are true and correct and are hereby incorporated and adopted as findings and determinations by the City Council as if fully set forth herein.

SECTION 2. Subdivisions (d) and (e) of Section 6-8.52 of Chapter 8B, of Title 6 of the Ontario Municipal Code are hereby amended to read as follows:

Sec. 6-8.52. Water Service Connections.

(d) Service laterals. The City, at its option, may install a service lateral two (2) inches and smaller. The City reserves the right to make a service lateral installation on the basis of actual cost. Services to properties with service laterals larger than two (2) inches shall be installed by the developer of such property.

(e) Installation of water meters. The City shall install all water meters at the developer's or consumer's cost. The City reserves the right to make an installation on the basis of actual cost.

SECTION 3. Section 6-3.107 of Article 1, of Chapter 3 of Title 6 of the Ontario Municipal Code is hereby amended to read as follows:

Sec. 6-3.107. Definitions.

For the purpose of this chapter, unless otherwise apparent from context, certain words and phrases used in this chapter shall have the meanings hereinafter designated. The definitions in this chapter are included for reference purposes only and are not intended to narrow the scope of definitions set forth in federal or state laws or regulations. Words used in this chapter in the singular may include the plural and the plural may include the singular. Use of the masculine shall also mean feminine and neuter.

(a) "Administrative Services Director." The Administrative Services Director of the City of Ontario.

(b) "Applicant." Any individual, firm, limited liability company, association, partnership, political subdivision, government agency, municipality, industry, public or private corporation, or any other entity whatsoever who applies to the City for the applicable permits to undertake any construction, demolition, or renovation project within the City or to provide recycling collection services within the City.

(c) "Authorized recycling agent." A person with whom the City authorizes by contract or permit to collect its recyclable waste material. An authorized recycling agent may be a municipal collection service, private refuse hauler, private recycling enterprise, or private nonprofit corporation or association.

(d) "Bulky item." Any item unable to be collected through normal collection method, such as appliance, furniture or bundled brush.

(e) "Business." A commercial or public entity, including, but not limited to, a firm, partnership, proprietorship, joint stock company, corporation, or association that is organized as a for-profit or nonprofit entity, or a multifamily residential dwelling.

(f) "Business recycling plan." A completed business recycling plan form, approved by the City for the purpose of compliance with this article, submitted by the applicant for any large project.

(g) "C & D" or "construction and demolition materials." Lumber, paper, cardboard, metals, masonry (brick, concrete, and the like), carpet, plastic, pipe (plastic, metal, and clay), drywall, rocks, dirt, and green waste related to land development. These materials produce debris that is not hazardous waste, defined by Public Resources Code § 40141.

(h) "City." The City of Ontario, California.

(i) "City Manager." The chief administrative officer of the City of Ontario or his or her designee.

(j) "Collection." The operation of gathering together and transporting of garbage, solid waste and refuse to a point of disposal and/or recycling or composting center/facility.

(k) "Collector." A person employed by the City or any other person (or the agents or employees thereof) whom the City shall have duly licensed, franchised, granted a permit to, or contracted with, to collect, carry, transport, compost, and/or recycle garbage, refuse and solid waste within the City.

(l) "Combustible solid waste matter." Matter which includes all magazines, newspapers, hats, minor trimmings from lawns, trees, shrubs, and flower gardens, pasteboard boxes, rags, paper, straw, sawdust, manure, packing material, shavings, boxes, and other solid waste matter that may incinerate through contact with flames of ordinary temperature.

(m) "Commingled." Mixed in one mass; blended.

(n) "Commercial." Any apartment house with four (4) or more units, business, industry, commercial establishment, or construction site, but shall not include residential dwellings.

(o) "Commercial recycler." A business that the City shall have duly licensed, granted a permit to, or contracted with, to collect, carry, transport, compost, and/or recycle commodities within the City.

(p) "Compost." The product resulting from the controlled biological decomposition of organic wastes that are source separated from the municipal solid waste stream or which are separated at a centralized facility. "Compost" includes organic material such as sludge, vegetable, yard, green, or wood wastes, that is not hazardous waste.

(q) "Construction." The building of any facility or structure or any portion thereof including any tenant improvements to an existing facility or structure.

(r) "Construction and demolition debris." Used or discarded materials removed from premises during construction or renovation of a structure resulting from construction, remodeling, repair, or demolition operations on any pavement, house, commercial building, or other structure.

(s) "Container." The City-provided ninety-six (96)-gallon, sixty-four (64)-gallon, or thirty-two (32)-gallon receptacle, collected by automated side-loading residential collection vehicle.

(t) "Conversion rate." The rate set forth in the standardized Conversion Rate Table approved by the City pursuant to this chapter for use in estimating the volume or weight of materials identified in a Waste Management Plan.

(u) "Customer." The owner and/or occupant of any property within the City that is required to participate in the City's solid waste, including green waste, other organics and recyclables, collection program.

(v) "Deconstruction." The careful dismantling of buildings and structures in order to salvage as much as possible.

(w) "Demolition." The decimating, razing, ruining, tearing down or wrecking of any facility, structure, pavement or building, whether in whole or in part, whether interior or exterior.

(x) "Designated recycling collection location." The place where an authorized recycling agent has contracted with either the City or other public agency, or a private entity to pick up recyclable material segregated from other waste material. "Designated recycling collection location" includes, but is not limited to, the curbside or service alley of a residential neighborhood or the service alley or designated area of a commercial enterprise.

(y) "Diversion requirement." The diversion of at least fifty percent (50%) of the total construction and demolition debris generated by a project via reuse or recycling, unless the applicant has been granted an infeasibility exemption pursuant to § 6-3.603, in which case the diversion requirement shall be the maximum feasible diversion rate possible for the circumstances.

(z) "Divert." To use material for any purpose other than disposal in a landfill or transformation facility.

(aa) "Dwelling, multiple." A residential building designed for occupancy by more than one (1) family, consisting of more than one (1) living unit, even where there is no more than one (1) water meter on such premises, but excluding hotels, motels and lodges.

(bb) "Dwelling, single-family." A detached building designed for occupancy by one (1) family and consisting of a solitary living unit.

(cc) "Fire Department." The Fire Department of the City of Ontario.

(dd) "Garbage." Material which includes, but is not restricted to, every accumulation of animal, vegetable, or other material:

(1) Resulting from the preparation and consumption of edible foodstuffs;

(2) Resulting from decay, dealing, or storage of meats, fish, fowl, fruits or vegetables, including the cans, containers, or wrappers wasted along with such materials;

(3) Such industrial, domestic and organic refuses or residue of animals sold for meat;

(4) Fruit, vegetable and animal matter from kitchens, dining rooms, markets, food establishments or any other place using, dealing in or handling meats, fish, fowl, fruits, vegetables, grains, or other foodstuffs; or

(5) Offal, animal excrement or the carcasses of animals, fish or fowl.

(ee) "Green building." The use of materials in a more efficient manner. Green building practices can include salvaging dimensional lumber from structures, using reclaimed aggregates, or designing the structure in way that requires less material.

(ff) "Green waste." Tree and shrubbery trimmings, tree roots less than six (6) inches in diameter, vegetation matter resulting from land clearing, grass, weeds, straw, or leaves, wood chips, sawdust and other household garden organic materials which have been segregated from other refuse materials for the purpose of deposit at a designated collection location, including curbside location, for collection and transportation to a compost facility. Green waste does not include palm fronds, cactus or tree limbs, roots or stumps larger than six (6) inches in diameter.

(gg) "Hazardous waste." A waste, or combination of wastes, which because of its quantity, concentration or physical, chemical, or infectious characteristics may do either of the following:

(1) Cause or significantly contribute to an increase in mortality or an increase in serious irreversible, or incapacitating reversible illness; or

(2) Pose a substantial present or potential hazard to human health or environment when improperly treated, stored, transported, or disposed of, or otherwise managed. Unless expressly provided otherwise, "hazardous waste" includes extremely hazardous waste and acutely hazardous waste.

(hh) "Large project." Shall have the meaning set forth in § 6-3.602(a).

(ii) "Municipal Code." The City of Ontario Municipal Code.

(jj) "Ontario Municipal Utilities Company." The Ontario Municipal Utilities Company of the City of Ontario.

(kk) "Noncombustible solid waste matter." Matter which includes crockery, bottles, metal vessels, glass, broken brick, tin cans, ashes, and other solid waste matter that shall not incinerate through contact with flames of ordinary temperature.

(ll) "Occupant." One who has certain legal rights to or control over the premises occupied; a tenant or owner.

(mm) "Organics", "organic waste" and "organic material." Material of, related to, or derived from living organisms.

(nn) "Person." An individual, firm, limited liability company, association, partnership, political subdivision, government agency, municipality, industry, public or private corporation, or any other entity whatsoever.

(oo) "Post-consumer recycled materials." A finished material or product that has served its intended use and would normally be disposed of as solid waste. Examples of post-consumer recycled materials include, but are not limited to old newspaper, office paper, yard waste, steel, glass, aluminum cans, plastic bottles, oil, asphalt, concrete, and tires.

(pp) "Pre-consumer." Materials or by-products generated after manufacturing of a product is completed, but before the product reaches the end-use consumer.

(qq) "Project." Any activity which requires an application for a building or demolition permit, or any similar permit from the City.

(rr) "Property owner." The record owner of a property and includes the homeowner/business owner association of a residential/business condominium project.

(ss) "Receptacle." A container that holds items or matter.

(tt) "Recyclable materials" or "recyclables." Reusable waste materials, including but not limited to, metal, glass, plastic and paper, and green waste, that are to be collected, separated or processed and used as raw materials. "Recyclable material" does not include refuse, hazardous waste or hazardous waste materials.

(uu) "Recycle" or "recycling." The process of collecting, sorting, cleansing, treating, and reconstructing materials that would otherwise become refuse or garbage, and returning them to the economic mainstream in the form of raw material for new, revised, or reconstituted products which meet the quality standards necessary to be used in the marketplace. This includes, without limitation, items intended for "re-use" or "personal use," irrespective of their intended return to economic mainstream or marketplace.

(vv) "Recycled material" or "recycled product." Waste material and by-products that have been recovered or diverted from the solid waste stream and that can be utilized in place of raw or virgin material in the production of a product. "Recycled materials" may consist of material derived from post-consumer waste, manufacturing waste, industrial scrap, agricultural waste, and other items, all of which can be used in the manufacture of new products.

(ww) "Refuse." The designated all-inclusive term for all putrescible and non-putrescible solid and semi-solid waste including, but limited to: garbage, solid waste matter, trash, ashes, industrial wastes, construction and demolition wastes, bulky item waste, manure, vegetable or animal solid and semisolid wastes, combustible and non-combustible wastes. "Refuse" does not include hazardous or household hazardous waste, medical waste, low-level radioactive waste or recyclable materials and green waste.

(xx) "Renovation." Any change, addition, or modification in an existing structure.

(yy) "Residential." Any residential or single-family dwelling or apartment house not utilizing commercial bins.

(zz) "Reuse." Further or repeated use of construction or demolition debris.

(aaa) "Roll-off, temporary service." Placement of roll-off bin or drop body on the public right-of-way, not on private property.

(bbb) "Salvage." The controlled removal of construction or demolition debris from a permitted building or demolition site for the purpose of recycling, reuse, or storage for later recycling or reuse.

(ccc) "Scavenging." The removal of any recyclable and/or waste material without authorization of the property owner and/or the City.

(ddd) "Small project" shall have the meaning set forth in § 3-3.602(b).

(eee) "Solid waste matter." Solid waste matter which is "combustible" and "non-combustible" as defined in this section. "Solid waste matter" shall not include dirt, rocks, building materials, and tree trunks or limbs (as differentiated from minor trimmings), which shall be considered as rubbish or refuse.

(fff) "Street." All streets, highways, avenues, lanes, alleys, courts, places, squares or other public ways in the City which have been or may hereafter be dedicated or open to public use, or such other public property so designated in any law of this state.

(ggg) "Utilities General Manager." The General Manager of the Ontario Municipal Utilities Company, or his or her authorized representative.

SECTION 4. Section 6-3.407 of Article 4, of Chapter 3 of Title 6 of the Ontario Municipal Code is hereby deleted.

SECTION 5. Article 6 of Chapter 3, of Title 6 of the Ontario Municipal Code is hereby amended to read as follows:

Article 6. Business Recycling Requirements

(a) The purpose of this Article is to:

- (1) Promote recycling and diversion of commercial solid waste by requiring certain specified businesses, non-residential properties, commercial buildings and construction and demolition projects to divert recyclable materials from the landfill.

- (2) Comply with California Green Building Standards Code (CalGreen) Sections 301.1.1, 301.3, 4.408 and 5.408, requiring diversion of waste from specified construction and demolition projects.
- (3) Comply with state commercial recycling laws AB 341, requiring recycling by certain specified businesses.
- (4) Comply with state commercial organic waste recycling laws AB 1826, requiring organic waste recycling for certain specified businesses.

(b) Each violation of this article will be considered an infraction and subject to penalties listed in § 1-2.01.

SECTION 6. Chapter 3, of Title 6 of the Ontario Municipal Code is hereby amended by adding Sections 6-3.604 and 6-3.605 read as follows:

Sec. 6-3.604. Mandatory Business Recycling

(a) The following businesses shall recycle and divert from the landfill recyclable materials generated by the business in accordance with this Sec. 6-3.604:

- (1) a commercial business that generates 4 cubic yards or more of solid waste per week;
- (2) a multi-family dwelling of 5 units or more.

(b) Businesses subject to this Sec.6-3.604 shall arrange for recycling services, consistent with state or local laws, rules, regulations or requirements, including a local ordinance or agreement, applicable to the collection, handling, or recycling of solid waste, to the extent that these services are offered and reasonably available from a local service provider. A business subject to this Sec. 6-3.604 shall take at least one of the following actions:

- (1) Source separate recyclable materials from refuse and subscribe to a basic level of recycling service that includes collection, self-hauling, or other arrangements for the pickup of the recyclable materials.
- (2) Subscribe to a recycling service that may include mixed waste processing that yields diversion results comparable to source separation.

(c) A business meeting the conditions of Sec. 6-3.604(a) may request an exemption from the requirements of Sec. 6-3.604(b) by submitting an application on a form prescribed by the Utilities General Manager. After reviewing the exemption request, the Utilities General Manager or his designee shall either approve or disapprove the exemption request. To be eligible for an exemption from requirements of this Section, the business must demonstrate that:

- (1) there are no recyclable materials being generated by any activities of the business;
- (2) there is inadequate storage space for the storage of recyclable materials;
- (3) there is no viable market for the recycling materials or recycling facility available.

Sec. 6-3.605. Mandatory Commercial Business Organics Recycling

(a) A business meeting the conditions of Sec. 6-3.604(a)(1) shall recycle and divert from the landfill organic materials generated by the business, in accordance with the following conditions:

- (1) On and after April 1, 2016, a business that generates eight cubic yards or more of organic waste per week shall arrange for recycling services specifically for organic waste.
- (2) On and after January 1, 2017, a business that generates four cubic yards or more of organic waste per week shall arrange for recycling services specifically for organic waste.
- (3) On and after January 1, 2019, a business that generates four cubic yards or more of commercial solid waste per week shall arrange for recycling services specifically for organic waste.

(b) A business meeting the conditions of Sec. 6-3.604(a)(1) shall arrange for organics recycling services, consistent with state or local laws, rules, regulations or requirements, including a local ordinance or agreement, applicable to the collection, handling, or recycling of recyclable material, to the extent that these services are offered and reasonably available from a local service provider. A business meeting the conditions of Sec. 6-3.604(a)(1) shall take at least one of the following actions:

- (1) Source separate organic waste from other refuse and subscribe to a basic level of organic waste recycling service that includes collection and recycling of organic waste.
- (2) Recycle its organic waste onsite or self-haul its own organic waste for recycling,
- (3) Subscribe to an organic waste recycling service that may include mixed waste processing that specifically recycles organic waste.

(c) A business meeting the conditions of Sec. 6-3.604(a)(1) may request an exemption from the requirements of Sec. 6-3.605(b) by submitting an application on a form prescribed by the Utilities General Manager. After reviewing the exemption request, the Utilities General Manager or his designee shall either approve or disapprove the exemption request. To be eligible for an exemption from the requirements of Sec. 6-3.605(b), the business must demonstrate that:

- (1) there is less than one half of a cubic yard per week of organic waste being generated by any activities of the business;
- (2) there is inadequate storage space for the storage of organic waste,
- (3) there is no viable market for the organic waste or organic waste recycling facility available.

SECTION 7. This Ordinance shall supersede all other previous City Council resolutions and ordinances that may conflict with, or be contrary to, this Ordinance.

SECTION 8. If any provisions of this Ordinance are in conflict with each other, other provisions of the City of Ontario Municipal Code, any other resolution, ordinance, regulation, or policy of the City, the more restrictive provisions shall apply.

SECTION 9. A full reading of this Ordinance is hereby waived. This Ordinance was introduced at a regular meeting of the City Council of the City of Ontario, California, on January 19, 2016, and thereafter adopted at a regular meeting of the City Council held on the 2nd day of February 2016.

SECTION 10. This Ordinance shall become effective thirty (30) calendar days after its adoption by the City Council.

SECTION 11. If any section, subsection, subdivision, sentence, clause, or phrase in this Ordinance or any part thereof is for any reason held to be unconstitutional or invalid, ineffective by any court of competent jurisdiction, such decision shall not affect the validity or effectiveness of the remaining portions of this ordinance or any part thereof. The City Council hereby declares that it would have adopted each section irrespective of the fact that any one or more subsections, subdivisions, sentences, clauses, or phrases be declared unconstitutional, invalid, or ineffective.

SECTION 12. The Mayor shall sign this Ordinance and the Assistant 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 Assistant City Clerk shall post a certified copy of this ordinance, including the vote for and against the same, in the Office of the City Clerk, in accordance with Government Code Section 36933.

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

PAUL S. LEON, MAYOR

ATTEST:

VICKI KASAD, MMC, ASSISTANT CITY CLERK

APPROVED AS TO FORM:

BEST BEST & KRIEGER LLP
CITY ATTORNEY

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

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

AYES: COUNCIL MEMBERS:

NOES: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

VICKI KASAD, MMC, ASSISTANT CITY CLERK

(SEAL)

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

VICKI KASAD, MMC, ASSISTANT CITY CLERK

(SEAL)

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, AUTHORIZING INCREASES TO THE RATES FOR ITS SOLID WASTE SERVICE CHARGES AND OTHER MISCELLANEOUS ONE-TIME SOLID WASTE FEES.

WHEREAS, it is the policy of the City of Ontario (the "City") that the accumulation, collection, removal, disposal, composting, and recycling of refuse shall be controlled by the City for the protection of the public health, safety, and welfare and to contribute toward the diminution of health hazards and pollution in the City; and

WHEREAS, the City Council finds that to give practical effect to this policy, a comprehensive system for the periodic collection, removal, disposal, composting and/or recycling of refuse from all premises in the City is essential and benefits all residents of the City; and

WHEREAS, the City currently has in place uniform requirements and regulations for direct and indirect users of the refuse and recycling collection services of the City which allow the City to comply with all applicable state and federal laws, including, but not limited to, The Integrated Waste Management Act of 1989, Public Resources Code §§ 49520-49524, California Code Title 14 Division 7 and any subsequent amendments to each; and

WHEREAS, the City determined to undertake a rate study to analyze the revenue requirements, and the rate structure necessary to proportionately allocate the costs of providing solid waste services (including recyclable material) to its solid waste customers; and

WHEREAS, the rate study demonstrates that existing solid waste revenues are and will be insufficient to cover current and projected operations and maintenance and equipment replacement costs of the City's Solid Waste Services (the "Services"); and

WHEREAS, a report of the results of the rate study (the "Rate Report"), attached hereto as Exhibit A and by this reference incorporated herein, has been prepared which includes the proposed rates for the solid waste service charges and documents the estimated and reasonable costs of providing the Services in the City; and

WHEREAS, the findings and determinations contained herein are based upon the Rate Report documenting the estimated reasonable costs of providing the Services to customers in the City; and

WHEREAS, the rates for solid waste service charges are comprised of two customer classes – (1) customers who use automated containers for refuse, green waste and recyclable materials ("recycling"); and (2) customers who use bins, roll off containers, or compactor bins; and

WHEREAS, for customers with automated refuse containers, the rates are determined on the basis of the size (in gallons) of the containers collected and the number of pickups per week. This includes a set of 3 containers for each property – one container for trash, one for recycled waste, and one for green waste. Any additional containers are subject to an additional charge. For customers with bins, the rates are determined on the basis of: the size of the bin (in cubic yards); the number of pickups per week; and the type of waste collected; and

WHEREAS, there are two service areas within the City for solid waste services – the Old Model Colony and the Ontario Ranch (formerly New Model Colony) service areas; and

WHEREAS, the City has determined to adopt a two-year schedule of rate increases for the solid waste service charges; and

WHEREAS, the schedule of proposed rates for the solid waste service charges is attached hereto as Exhibit B and by this reference incorporated herein and by this reference made an operative part hereof; and

WHEREAS, the City made available to the public the Rate Report documenting the estimated costs required to provide the Services for which the solid waste service charges are proposed to be increased and the revenue sources anticipated to provide such Services; and

WHEREAS, the City Council hereby finds and determines the following with regard to the proposed solid waste service charges:

1. The revenues derived from the proposed solid waste (including recyclable material) service charges will not exceed the funds required to provide the Services and shall be used exclusively for providing these Services;
2. The amount of the proposed solid waste service charges will not exceed the proportional cost of the Services attributable to each parcel;
3. The proposed solid waste service charges are imposed for Services which are immediately available to the customer;
4. The proposed solid waste charges will not be used for any other purpose than that for which they are imposed;
5. The proposed solid waste charges are not levied for general governmental services; and
6. The proposed solid waste service charges represent increases in the charges needed to provide the Services and to operate the City's solid waste system and facilities; and

WHEREAS, the City hereby finds and determines that in accordance with the provisions of California Constitution article XIII D, section 6 ("Article XIII D"):

1. The City identified the parcels upon which the solid waste service charges are proposed to be imposed, and calculated the amount of the charges proposed to be imposed;

2. On December 4, 2015, the City mailed written Notice to the record owners of the parcels upon which the solid waste service charges are proposed to be imposed and any tenants directly liable for the payment of solid waste service charges ("customers"), which explained: (a) the amount of the charges; (b) the basis on which they were calculated; (c) the reason for the increases; and (d) the date, time, and location of the public hearing on the proposed increases; and

3. On January 19, 2016 (more than 45 days after mailing the Notice), the City conducted a public hearing and considered all written protests against the proposed increases to the solid waste service charges.; and

4. At the conclusion of the public hearing, written protests against the proposed increases to the solid waste service charges were not presented by a majority of customers subject to the proposed charges; and

WHEREAS, the City has also determined to increase the rates for other miscellaneous one-time solid waste fees that are imposed as a request by a customer for a specific service or product; and

WHEREAS, the Rate Report also includes the proposed rates for the new miscellaneous one-time solid waste fees and documents the estimated and reasonable costs of providing the services or products related thereto; and

WHEREAS, the City hereby finds and determines that in accordance with the provisions of California Constitution article XIII C, section 1(e)(2), the new miscellaneous one-time solid waste fees that are imposed as a request for a service or product are imposed for a specific government service or product provided directly to the payor that is not provided to those not charged, and do not exceed the reasonable costs to the City of providing the service or product; and

WHEREAS, in accordance with the California Environmental Quality Act ("CEQA") and the CEQA Guidelines, the City Staff has determined that the increases in solid waste service charges and miscellaneous one-time solid waste fees are exempt from CEQA pursuant to Section 15378 and Section 15273 of the CEQA Guidelines because: (a) the increased fees and charges are for the purpose of meeting operational and maintenance expenses of the aforementioned services; and (b) the fees and charges constitute the creation of a funding mechanism/other governmental fiscal activity which does not involve any commitment to any specific project which may result in a potentially significant physical impact on the environment.

NOW, THEREFORE, IT IS HEREBY RESOLVED AS FOLLOWS:

SECTION 1. The City Council hereby finds and determines that the recitals discussed above are true and correct and are hereby incorporated and adopted as findings and determinations by the City Council as if fully set forth herein.

SECTION 2. The current rates for solid waste service charges as set forth in Exhibit B shall remain in full force and effect in accordance with the schedule set forth in Exhibit B. Commencing March 4, 2016 and January 1, 2017, respectively, the City Council hereby authorizes and establishes the rates for solid waste service charges as more fully set forth in Exhibit B.

SECTION 3. The current rates for the miscellaneous one-time solid waste fees as set forth in Exhibit B shall remain in full force and effect in accordance with the schedule set forth in Exhibit B. Commencing March 4, 2016, and January 1, 2017, respectively, the City Council hereby authorizes and establishes the rates for the miscellaneous one-time solid waste fees as more fully set forth in Exhibit B.

SECTION 4. If any section, subsection, subdivision, sentence, clause, or phrase in this Ordinance or any part thereof is for any reason held to be unconstitutional or invalid, ineffective by any court of competent jurisdiction, such decision shall not affect the validity or effectiveness of the remaining portions of this Ordinance or any part thereof. The City Council hereby declares that it would have adopted each section irrespective of the fact that any one or more subsections, subdivisions, sentences, clauses, or phrases be declared unconstitutional, invalid, or ineffective.

SECTION 5. This Ordinance shall supersede all other previous City Council resolutions and ordinances that may conflict with, or be contrary to, this Ordinance.

SECTION 6. A full reading of this Ordinance is hereby waived. This Ordinance was introduced at a regular meeting of the City Council of the City of Ontario, California, on January 19, 2016, and thereafter adopted at a regular meeting of the City Council held on the 2nd day of February 2016.

SECTION 7. This Ordinance shall become effective thirty (30) calendar days after its adoption by the City Council.

SECTION 8. The Mayor shall sign this Ordinance and the Assistant 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 Assistant 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.

SECTION 9. City staff is directed to file a Notice of Exemption within five (5) days of the adoption of this Ordinance.

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

PAUL S. LEON, MAYOR

ATTEST:

VICKI KASAD, MMC, ASSISTANT CITY CLERK

APPROVED AS TO FORM:

BEST BEST & KRIEGER LLP
CITY ATTORNEY

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

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

AYES: COUNCIL MEMBERS:

NOES: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

VICKI KASAD, MMC, ASSISTANT CITY CLERK

(SEAL)

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

VICKI KASAD, MMC, ASSISTANT CITY CLERK

(SEAL)

EXHIBIT A

City of Ontario



Solid Waste, Sewer, & Water Rate Report

EXECUTIVE SUMMARY

The City recently evaluated the service and infrastructure needs, programs, operation and maintenance costs of the City's solid waste, sewer and water enterprises. The City has determined that solid waste, sewer and water service charges are and will be insufficient to cover (i) current and projected operations and maintenance costs for providing solid waste, sewer and water services and (ii) the cost of capital infrastructure improvements needed to cover anticipated costs repair and update the City's water and sewer systems. Accordingly, the City has determined that rate increases are necessary to address the need for infrastructure and sewer and water quality improvements, and to avoid operational deficits and depletion of reserves.

The following table illustrates the combined effect of the proposed rate increases on the monthly utility bill for City charges for "Typical Residential" and "Typical Commercial – Industrial" customers over the next two years.

Combined Utility Rate

Typical Residential

Service	Current	March 2016	January 2017
Solid Waste	\$ 27.14	\$ 27.41	\$ 27.68
Sewer	\$ 13.37	\$ 13.50	\$ 13.63
Water	\$ 66.01	\$ 67.49	\$ 68.97
Combined	\$106.52	\$108.40	\$110.28

Typical Commercial - Industrial

Service	Current	March 2016	January 2017
Solid Waste	\$ 288	\$ 291	\$ 294
Sewer	\$ 233	\$ 235	\$ 237
Water	\$ 986	\$1,010	\$1,035
Combined	\$1,507	\$1,536	\$1,566

SOLID WASTE ENTERPRISE

A review of the solid waste service charges indicates that current and projected revenue estimates based on the current rates are not sufficient to cover the anticipated cost of providing solid waste services. Therefore, staff recommends changes to the solid waste rates that the City should charge its customers in calendar years 2016 and 2017. Increases in the cost of handling, transfer and landfill disposal of the materials the City collects and the increased cost of service to meet legislative mandates related to expanded diversion and recycling in order to help reduce greenhouse gas emissions, such as commercial and industrial recycling, food waste recycling, and special material (e.g., tires, mattresses, and electronic waste) handling and recycling programs are primary drivers of the recommended rate increases.

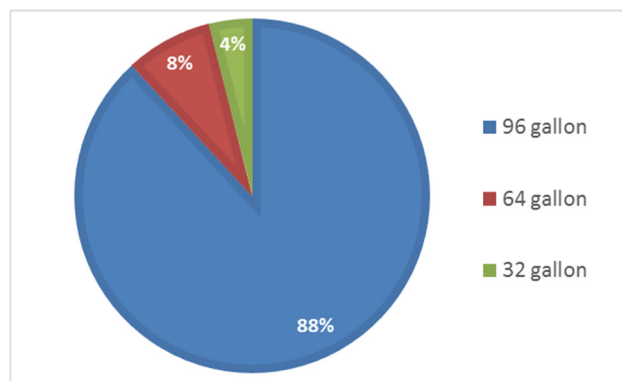
To offset some of the cost increases associated with handling and disposal and regulatory requirements, the City has implemented cost avoidance and cost cutting measures, including extending the useful life of solid waste vehicles to reduce capital replacement cost, and increasing operational efficiency to reduce labor costs, in order limit the proposed rate increase to a minimum.

The City provides the following three types of collection service to its customers:

Automated curbside: The City offers three sizes of containers to automated service customers, 32-gallon, 64-gallon and 96-gallon. The charges are based on the size of containers. In FY 2014-15, the City served approximately 31,250 automated service customers, about eighty-eight percent (88%) of automated service customers used the 96-gallon containers, about eight percent (8%) used the 64-gallon containers and about four percent (4%) used the 32-gallon containers.

Figure 1

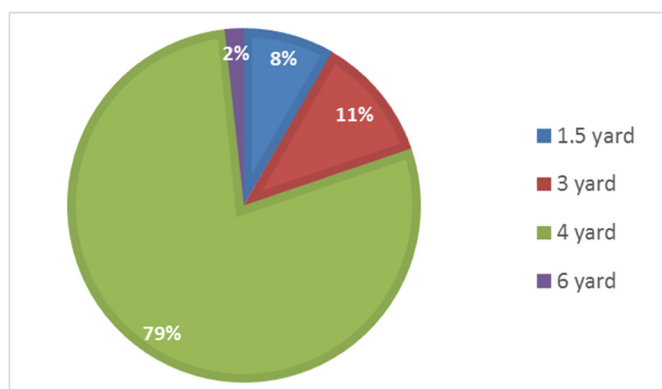
FY 2014-15 Residential Curbside Service



For residential automated service customers, the rates for service are different in the “Old Model Colony” (OMC) and the “Ontario Ranch” based on a differential cost of service. The difference in the cost of service is primarily driven by 1) greater collection times servicing stops; and 2) greater transportation distances. It takes approximately 20% longer to service a typical residential route in Ontario Ranch than it does in the OMC due to the increased housing densities as well as access. Also, the average distance of travel per day for the collection vehicles is approximately 30% greater than in the OMC. Together, these factors result in a higher cost of service (e.g., more collection vehicles, more personnel, fuel costs, etc.) for the Ontario Ranch when compared to the OMC.

Commercial bins: Commercial bin service includes collection of 1.5 cubic-yard, 3.0 cubic-yard, 4.0 cubic-yard, and 6.0 cubic-yard standard and compactor bins for refuse, organics, greenwaste, and co-mingled recycling. In FY 2014-15, the City serviced approximately 5,655 commercial bin customers and about seventy-nine percent (79%) of these were 4.0 cubic-yard bins.

Figure 2
FY 2014-15 Commercial Bin Service

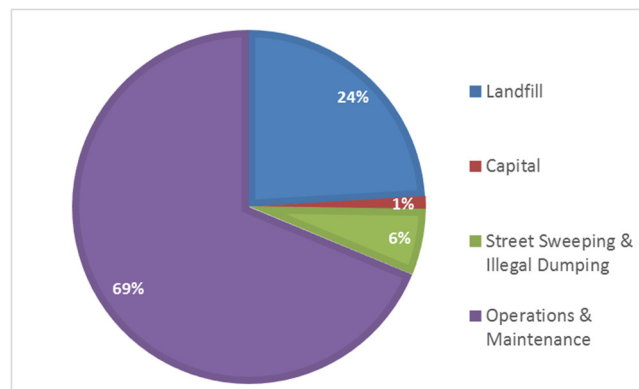


Roll-off bins: Roll-off service includes open-top and compactor service for refuse, single-commodity recycling, greenwaste, and inert material. In FY 2014-15, the City serviced approximately 12,795 roll-off loads.

The City continues to exceed the State mandated diversion rate for recyclable materials. To further encourage recycling, the City offers specific services and rates for co-mingled recycling and greenwaste collection services for automated service customers, organics, greenwaste and co-mingled recycling collection services for commercial bin customers, and single-commodity recycling, greenwaste, and inert collection services for roll-off customers.

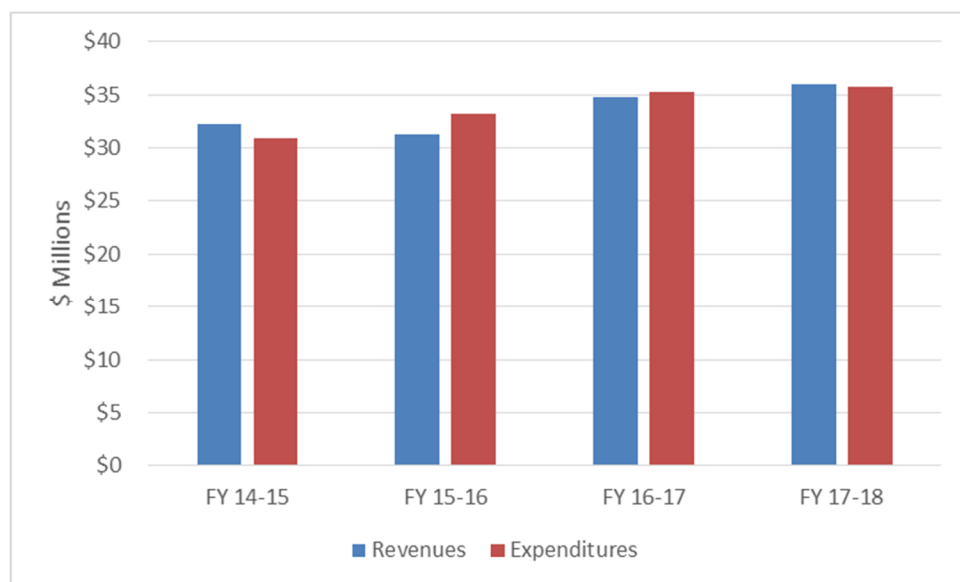
Solid waste expenses consist of landfill disposal costs including handling, transfer, and recycling services; operation and maintenance (O&M) expenses including general overhead costs related to supervision, utility billing and customer service, and cost allocations to the General Fund for City provided services; street sweeping and illegal dumping clean up services; and a capital improvement program, as illustrated by Figure 3.

Figure 3
FY 2014-15 Expenses - \$31 million



The City's current solid waste rates will not generate adequate revenue to cover the City's projected expenditures, as illustrated by Figure 4.

Figure 4



Since revenues generated by the existing solid waste service charges included in Table 1 are not adequate to cover the anticipated expenditures to provide solid waste services, staff recommends the following solid waste rates that the City should charge its customers in March 2016 and January 2017. Staff will continue to periodically review the financial plan to ensure continued financial stability.

Table 1
Proposed Solid Waste Rate Schedule

Automated Refuse Container Collection Rates									
Old Model Colony	Gallons	First Refuse Container Set			Additional Refuse Containers				
		Current	3/4/2016	1/1/2017	Current	3/4/2016	1/1/2017		
	96	\$27.14	\$27.41	\$27.68	\$24.78	\$25.03	\$25.28		
	64	\$23.60	\$23.83	\$24.06	\$21.24	\$21.45	\$21.66		
	32	\$20.07	\$20.27	\$20.47	\$17.70	\$17.89	\$18.08		
Ontario Ranch	Gallons	First Refuse Container Set			Additional Refuse Containers				
		Current	3/4/2016	1/1/2017	Current	3/4/2016	1/1/2017		
	96	\$30.67	\$30.97	\$31.27	\$28.00	\$28.28	\$28.56		
	64	\$26.67	\$26.93	\$27.19	\$24.00	\$24.24	\$24.48		
	32	\$22.67	\$22.89	\$23.11	\$20.00	\$20.20	\$20.40		
Bin Monthly Rates (Refuse/Organics)									
Bin Size (Cubic Yards)	One Pickup/Week			Each Extra Pickup/Week			Saturday Service		
	Current	3/4/2016	1/1/2017	Current	3/4/2016	1/1/2017	Current	3/4/2016	1/1/2017
1.5	\$104.00	\$105.00	\$106.00	\$94.68	\$96.00	\$97.00	\$113.62	\$115.00	\$116.00
3	\$123.81	\$125.00	\$126.00	\$110.24	\$112.00	\$113.00	\$131.09	\$132.00	\$133.00
4	\$152.94	\$155.00	\$157.00	\$135.25	\$137.00	\$138.00	\$162.30	\$164.00	\$166.00
6	\$215.36	\$218.00	\$220.00	\$195.60	\$198.00	\$200.00	\$234.72	\$237.00	\$240.00
Bin Monthly Rates (Recycling/Green)									
Bin Size (Cubic Yards)	One Pickup/Week			Each Extra Pickup/Week			Saturday Service		
	Current	3/4/2016	1/1/2017	Current	3/4/2016	1/1/2017	Current	3/4/2016	1/1/2017
1.5	\$35.00	\$35.35	\$35.70	\$35.00	\$35.35	\$35.70	\$42.00	\$42.50	\$43.00
3	\$50.00	\$50.50	\$51.00	\$50.00	\$50.50	\$51.00	\$60.00	\$60.60	\$61.20
4	\$59.00	\$59.60	\$60.20	\$59.00	\$59.60	\$60.20	\$70.80	\$71.50	\$72.25
6	\$78.00	\$78.80	\$79.60	\$78.00	\$78.80	\$79.60	\$93.60	\$94.50	\$95.50
Roll Off Container Service Rates									
			Current	3/4/2016	1/1/2017				
Refuse (Open Top or Compactor) Includes Disposal up to 5 tons			\$499.00	\$505.00	\$510.00				
Recycling (Open Top or Compactor) Actual Disposal Costs Additional			\$154.00	\$156.00	\$158.00				
Inert/Green/Wood (Open Top or Compactor) Actual Disposal Costs Additional			\$194.00	\$196.00	\$198.00				
Compactor Bin Monthly Rates									
Bin Size (Cubic Yards)	One Pickup/Week			Each Extra Pickup/Week			Saturday Service		
	Current	3/4/2016	1/1/2017	Current	3/4/2016	1/1/2017	Current	3/4/2016	1/1/2017
1.5	\$175.83	\$177.00	\$179.00	\$175.83	\$177.00	\$179.00	\$211.00	\$213.00	\$215.00
2	\$198.72	\$201.00	\$203.00	\$198.72	\$201.00	\$203.00	\$238.47	\$241.00	\$244.00
3	\$244.49	\$247.00	\$249.00	\$244.49	\$247.00	\$249.00	\$293.39	\$296.00	\$299.00
4	\$291.31	\$294.00	\$297.00	\$291.31	\$294.00	\$297.00	\$349.58	\$353.00	\$357.00
6	\$383.91	\$388.00	\$392.00	\$383.91	\$388.00	\$392.00	\$460.70	\$466.00	\$471.00

SEWER ENTERPRISE

A review of the sewer service charges indicates that current and projected revenue estimates based on the current rates are not sufficient to cover the anticipated cost of providing sewer services. Therefore, staff recommends changes to sewer rates that the City should charge its customers in calendar years 2016 and 2017.

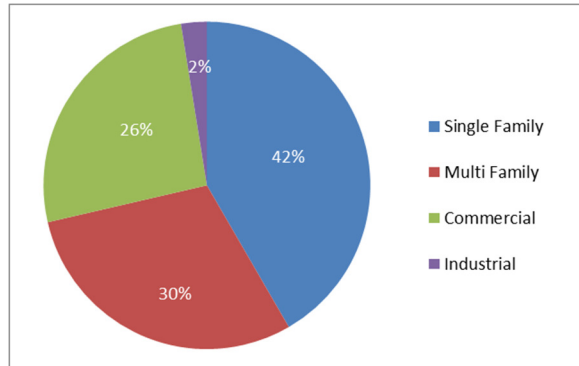
Sewer service charges are billed on a monthly basis. The rate structure for sewer service charges has three customer classifications – (1) single-family residential customers; (2) multi-family residential customers; and (2) non-residential, which includes commercial and industrial customers. The rate structure is comprised of two components: (1) a charge for capital replacement, operations and maintenance, billing, customer service, and other related costs (“City Charge”); and (2) a treatment charge for costs imposed on the City by Inland Empire Utilities Agency (IEUA) (“IEUA Charge”) that is passed through by the City to its sewer customers. The rates are calculated to proportionately allocate capital replacement, operations, maintenance, and treatment costs to each customer class.

For single-family and multi-family residential customers, the rates for the City Charge are determined on the basis of the number of residential units on the property. For non-residential customers, the rates for the City Charge have two components: (1) a variable equivalent dwelling unit (EDU) charge; and (2) a fixed unit charge. The EDU charge is determined on the basis of the amount of metered water delivered to the property and assumptions of the amount of water returned to the sewer (i.e., “flow”) based on the customer’s classification, and is designed to recover a portion of the utility’s costs of providing sewer service such as capital replacement, operations and maintenance, billing and customer service. The fixed unit charge is determined on the basis of the type of commercial activity where the service is provided and is designed to recover a portion of the utility’s cost of providing sewer service such as permitting, inspection and environmental regulatory costs.

The IEUA Charge for residential and non-residential is based on the number of EDUs. For residential customers, this charge is fixed at one (1) EDU of a single family residence, and seven tenths of one (0.7) EDU for a multi-family unit. For non-residential customers, the charge varies from month to month based on the number of EDUs as determined by sewer flow and water consumption.

As shown in Figure 5, together, single-family and multi-family customers are approximately 72 percent of the EDUs.

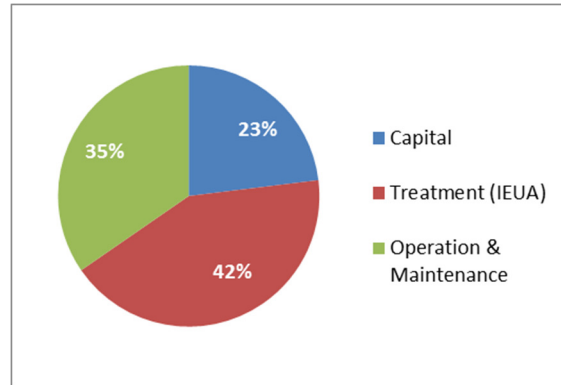
Figure 5
FY 2014-15 EDUs by Customer Class



The City sewer expenses consist of the cost of operation and maintenance (O&M) including sewer line cleaning, video inspection, repairs, and environmental programs. In accordance with the City's Sewer System Management Plan (SSMP), approximately 1.2 million linear feet of sewer collection pipelines are inspected and cleaned in order to prevent the buildup of debris, such as sand, silt, grease, roots and rocks that can significantly reduce the capacity of the pipes causing blockages and overflows. Environmental program responsibilities include issuance of industrial discharge permits, monitoring sewer discharge data, conducting compliance inspections of commercial grease interceptors as part of the City's "FOG" (Fats, Oils & Grease) program and inspections of permitted industrial facilities, as well as monitoring and reporting on sanitary sewer overflows (SSO). Other costs covered by the City charges for sewer services include general overhead costs related to supervision, utility billing and customer service, cost allocations to the General Fund for City provided services, and a capital improvement program, as shown in Figure 6.

The City's sewer system consists of more than 393 miles of sewer pipes along with 7,800 manholes and cleanouts, and the average age of pipelines throughout Ontario is about 45 years, with some sections still in use today that date back to the 1890's. The sewer master plan estimates the cost to replace the entire system today at more than \$325 million. Additionally, the master plan identifies more than \$100 million in capital improvement projects that are needed to correct existing system deficiencies where peak sewer flows are greater than the capacity of the pipelines. The overall age and condition of the sewer system creates a significant liability for the sewer fund. The capital improvement program is developed in order to prioritize projects within available funding, currently averaging about \$5 million per year, in order to address this liability on an annual basis.

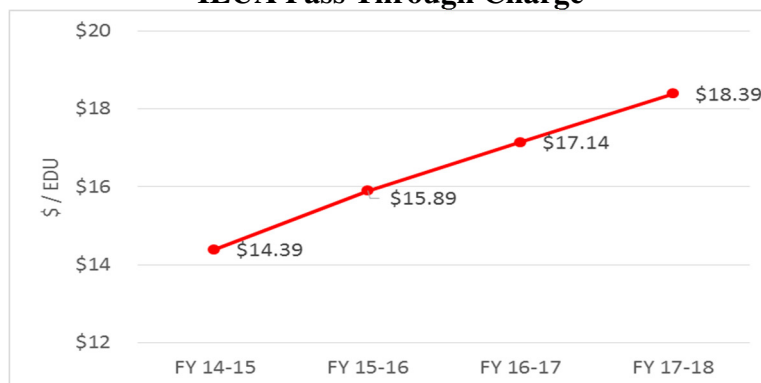
Figure 6
FY 2014-15 Expenses - \$21 million



The graph includes the cost of treatment provided by IEUA. The City pays IEUA to treat its sewer and these costs are passed on to City sewer customers through the IEUA Charge.

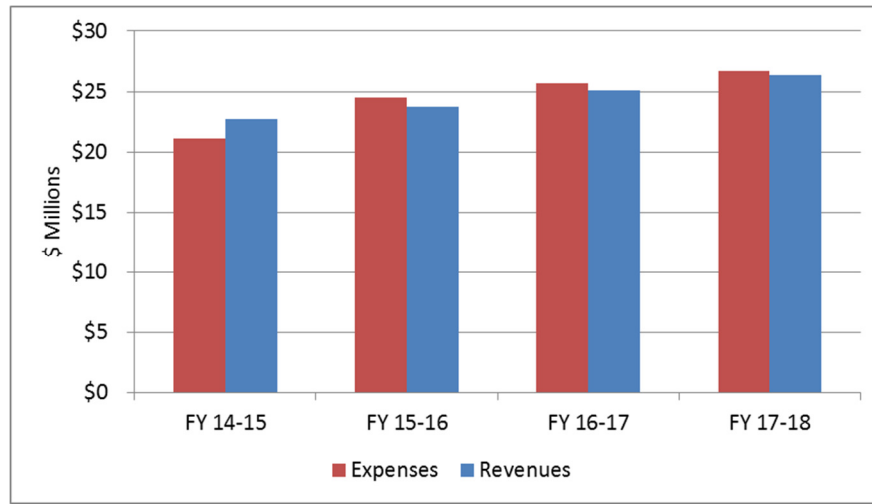
Based on IEUA projections, the current IEUA charge will not generate adequate revenues to cover the treatment cost. The IEUA Board has adopted increases to the IEUA Charge, from the current charge of \$15.89 per EDU to \$17.14 per EDU in 2016 and \$18.39 per EDU in 2017 (see Figure 7). If approved by the City Council, the proposed IEUA Charges may be imposed for the periods commencing on July 1, 2016 and July 1, 2017, respectively. Prior to implementing any IEUA Pass Through Adjustment that the IEUA Board may consider and adopt, the City will provide written notice of the rate increase not less than 30 days prior to its effective date.

Figure 7
IEUA Pass Through Charge



The City's current sewer rates will not provide adequate revenue to cover the City's costs for O&M and the capital improvement program, as illustrated by Figure 8.

Figure 8



As a result of the anticipated increases in the costs of providing sewer service, the City is proposing to increase the City Charges for sewer services in March 2016 and January 2017 and to pass through future IEUA Charges for treatment over the two-year period. The proposed rates for the sewer service charges are set forth below for the different customer classes are summarized in Table 2.

Table 2

Proposed Rates for Sewer Services

CURRENT AND PROPOSED MONTHLY RATES FOR CITY SEWER SERVICE CHARGES

EDU Rates				Unit Rates			
Customer Class	Current	3/4/2016	1/1/2017	**Rates for Per Building Unit or Room Sewer Service Charges for Non-Residential Customers	Current	3/4/2016	1/1/2017
Single Family Residential (\$/Unit)	\$13.37	\$13.50	\$13.63	Hotel/Motel (\$/ Room)	\$8.38	\$8.45	\$8.55
Multiple Family Residential (\$/Unit)	\$12.84	\$12.97	\$13.10	Professional Offices (\$/ Building Unit)	\$13.16	\$13.30	\$13.45
Non-Residential per EDU * (\$/EDU)	\$13.37	\$13.50	\$13.63	Other Commercial (\$/Building Unit)	\$32.25	\$32.60	\$32.90
(*) EDU (Equivalent Dwelling Unit) is a term used to compare the flows from non-residential units in terms of flows generated by a single family residential unit. (**) Non-residential customers also pay a “per building unit” charge as shown in the table at right.				Categorical/Significant Industry (\$/ Permitted Unit (SIU))	\$120.62	\$121.80	\$123.00
				Class II Industry (\$/Permitted Unit)	\$120.62	\$121.80	\$123.00
				Other Industries (\$/Permitted Unit)	\$60.37	\$61.00	\$61.60

Based on the charges adopted and imposed on the City by IEUA, the current and proposed rates for IEUA Charges are set forth below:

CURRENT AND PROPOSED MONTHLY RATES FOR IEUA CHARGES

Monthly Rates	IEUA Pass Through Rates		
	Current	7/1/2016	7/1/2017
Volumetric Rate per EDU*	\$15.89	\$17.14	\$18.39
(*) EDU (Equivalent Dwelling Unit) is a term used to compare the flows from non-residential units in terms of flows generated by a single family residential unit. Multi-family is 0.7 EDU.			

WATER ENTERPRISE

A review of the water service charges indicates that current and projected revenue estimates based on the current rates are not sufficient to cover the anticipated cost of providing water services. Therefore, staff recommends changes to water rates that the City should charge its customers in calendar years 2016 and 2017.

Water service charges are billed on a monthly basis. The proposed water rate structure for water service charges has two customer classes – (1) residential, which includes single-family and multi-family customers; and (2) non-residential, which includes, commercial and industrial customers. The rate structure is comprised of two components: (1) a fixed monthly service charge (the “Readiness to Serve Charge”); and (2) a variable monthly water usage charge (the “Commodity Charge”). The Readiness to Serve Charge is a fixed charge established on the basis of the meter size of the property receiving water service from the City and is calculated to recover the City’s fixed costs of water facilities repairs and replacements as well as the cost of meter reading, billing and customer service. The Commodity Charge is calculated on the basis of the cost of providing water, including purchasing water, managing the City’s water resources, and deterring water waste and encouraging water use efficiency, and a portion of the utility’s fixed costs, and consists of two tiers which will impose higher rates per unit of water (one unit equals one hundred cubic feet or 748 gallons) as the level of consumption increases. The first tier cut-off is 15 hundred cubic feet (hcf) per month. Together, the two components are structured in such a way as to proportionately allocate capital replacement, operations and maintenance costs to each customer class, while managing the City’s water resources.

In addition to the general water service charge imposed on property owners, the City also imposes a monthly private fire service fee on certain properties. The private fire service fee is imposed only as a condition of extending or initiating water service by (i) the installation of a private fire hydrant, or (ii) upon the request of the consumer or property owner for the delivery of water to the property for the purpose of private fire service protection.

The City serves approximately 33,570 individual water customer accounts. Single family accounts make up the largest customer group with approximately 79 percent of the total accounts (see Figure 9). The average water usage for a single family residence is approximately 18 hcf per month (450 gallons per day), and single family residents accounted for about 35 percent of the total water consumed in the City (see Figure 10).

Figure 9

FY 2014-15 Meters by Customer Class

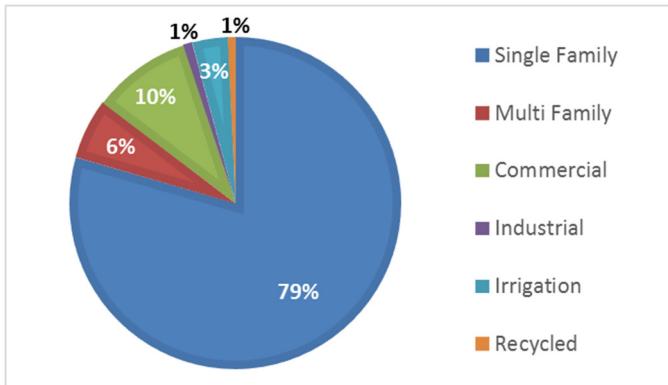
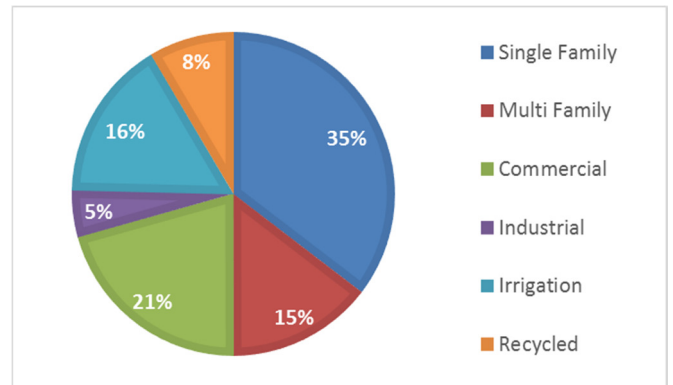


Figure 10

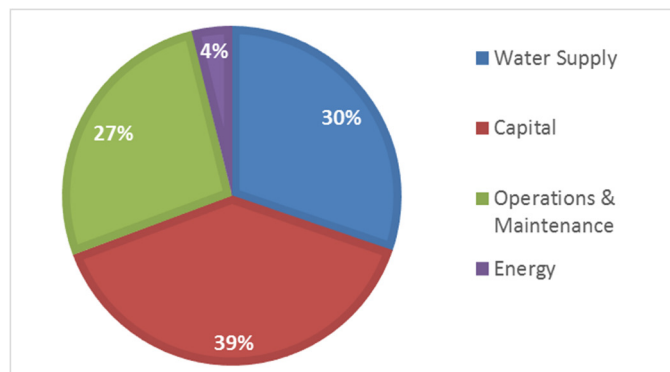
FY 2014-15 Usage by Customer Class



Water expenses consist of water supply costs including the cost to purchase imported water and supplemental water production rights, cost of energy for water production; other operation and maintenance (O&M) expenses including cost of system maintenance, general overhead costs related to supervision, utility billing and customer service, and cost allocations to the General Fund for City provided services; and a capital improvement program, as illustrated by Figure 11.

Figure 11

FY 2014-15 Expenses - \$59 million



The City's potable water supply includes imported water from Metropolitan Water District (MWD), groundwater pumped from its wells in the Chino Basin, and desalted water from the Chino Basin Desalter Authority (CDA) (see Figure 12). The Desalter expansion that is currently underway is anticipated to provide 3,533 acre feet (AF) of additional potable water per year. In addition to these potable water sources, the City uses recycled water for groundwater replenishment and for direct use in landscape irrigation and some industrial applications.

While an important part of Ontario's water supply, there is rapid escalation in the cost to purchase recycled water from IEUA, as illustrated by Figure 13. As a result, the cost to provide recycled water to Ontario's customers has increased.

Figure 12
FY 2014-15 Water Supply by Source

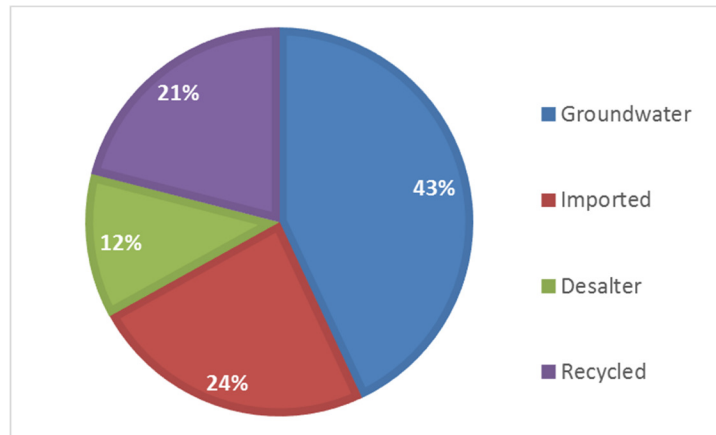
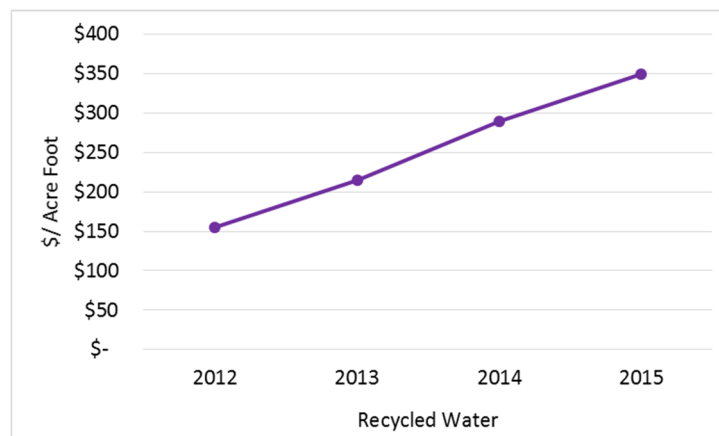


Figure 13
Recycled Water Cost (\$/AF)

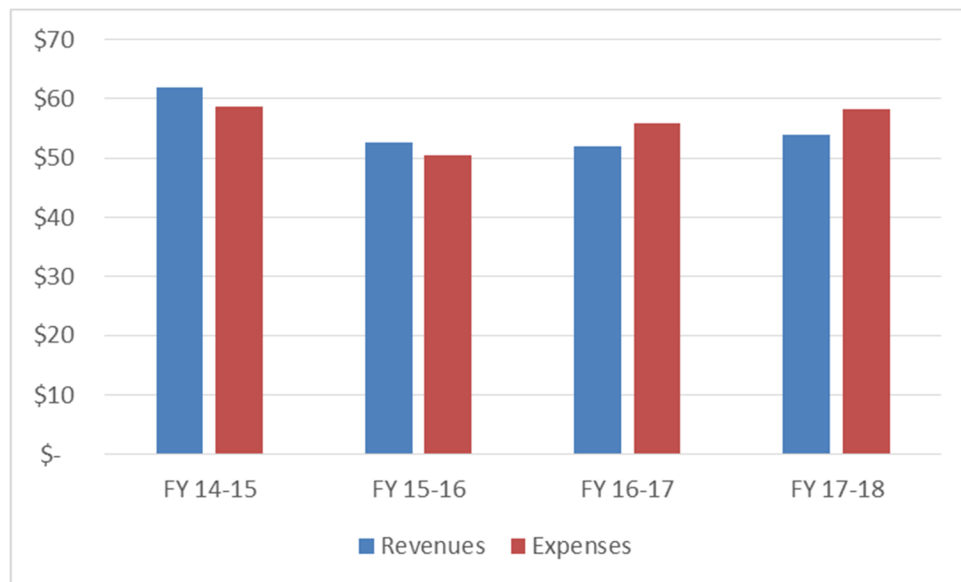


The water and recycled water master plans establish the basis and cost for new and replacement capital infrastructure required to maintain reliable water service for existing users and to expand the water systems for future users. The City maintains about 605 miles of main water pipelines, and the average age of the pipelines throughout Ontario is about 35 years, with about 115 miles (21%) of these being 50 years and older. The water system also consists of 24 active groundwater wells, 12 water reservoirs that store 75 million gallons of water, pressure reducing stations, booster stations, and water treatment facilities. The water master plan estimates the cost to replace the entire system today at more than \$700 million. Additionally, the master plans identify more than \$150 million in capital improvements that are needed to correct existing deficiencies primarily related to meeting fire flow requirements. Planned infrastructure improvements include ongoing meter replacement, additional water storage capacity, replacement of aging water production wells (five out of the City's twenty-four active wells are more than 40 years old),

additional water treatment, and projects that will provide site security and system reliability such as seismic retrofits for existing water facilities.

The City's projected expenditures will exceed the available resources under the existing rates, as illustrated by Figure 14.

Figure 14



The City has experienced and anticipates future increases in the costs to operate and maintain the water system and to provide ongoing water system repairs, replacements, and upgrades. As a result of the anticipated increases in the costs of providing water service, the City is proposing to increase the City Charges for water services over the two-year period, commencing March 2016 and January 2017. Included in the proposed rates are the cost of imported water from wholesale agencies and fees imposed by regulatory agencies. The proposed rates for water service charges for the different customer classes are summarized in Table 3 below:

Table 3
Commodity Rates/HCF/Month

Monthly Water Use (Potable)	Commodity Charge Rates \$/HCF (Hundred Cubic Feet = 748 gallons)		
	Current	3/4/2016	1/1/2017
0-15 HCF	\$2.34	\$2.39	\$2.44
More than 15 HCF	\$2.72	\$2.78	\$2.84

Monthly Water Use (Recycled)	Commodity Charge Rates \$/HCF (Hundred Cubic Feet = 748 gallons)		
	Current	3/4/2016	1/1/2017
Per HCF	\$1.56	\$1.63	\$1.71

Fire Service Charge Rates \$/Month				Readiness-to-Serve Charge Rates \$/Month						
					Potable Water Rates			Recycled Water Rates		
Pipe Size	Current	3/4/2016	1/1/2017	Meter Size	Current	3/4/2016	1/1/2017	Current	3/4/2016	1/1/2017
2"	\$12.10	\$12.40	\$12.70	5/8"	\$22.75	\$23.30	\$23.85	\$12.60	\$13.25	\$13.90
4"	\$24.65	\$25.25	\$25.85	3/4"	\$30.70	\$31.45	\$32.20	\$17.10	\$17.95	\$18.85
6"	\$49.05	\$50.25	\$51.45	1"	\$40.40	\$41.35	\$42.35	\$22.45	\$23.60	\$24.80
8"	\$69.35	\$71.00	\$72.70	1.5"	\$89.65	\$91.80	\$94.00	\$49.75	\$52.25	\$54.85
10"	\$94.05	\$96.30	\$98.60	2"	\$129.25	\$132.00	\$135.00	\$71.75	\$75.30	\$79.00
12"	\$183.60	\$188.00	\$193.00	3"	\$252.05	\$258.00	\$264.00	\$139.95	\$147.00	\$154.00
16"	\$365.55	\$374.00	\$383.00	4"	\$399.60	\$409.00	\$419.00	\$221.85	\$233.00	\$245.00
				6"	\$826.05	\$846.00	\$866.00	\$458.65	\$482.00	\$506.00
				8"	\$1,225.85	\$1,255.00	\$1,285.00	\$680.70	\$715.00	\$750.00
				10"	\$1,891.20	\$1,937.00	\$1,983.00	\$1,050.10	\$1,100.00	\$1,155.00

EXHIBIT B

(a) Residential. “Each residential unit” shall mean each dwelling used for residential purposes for a single family. The rates for the residential monthly solid waste service charges and other miscellaneous one-time solid waste fees are as follows:

1. Automated Container Solid Waste Service Charges – Residential solid waste service includes a set of three containers, one each for refuse, green waste and recycling. The monthly rates for each residential unit are as follows:

Service Area	Monthly Rates (\$/Container Set)			
	Gallons	Current	3/4/2016	1/1/2017
Old Model Colony	96	27.14	27.41	27.68
	64	23.60	23.83	24.06
	32	20.07	20.27	20.47
Ontario Ranch	96	30.67	30.97	31.27
	64	26.67	26.93	27.19
	32	22.67	22.89	23.11

2. Automated Container Solid Waste Service Charges – Extra residential containers for refuse, green waste, and/or recycling are provided at the following additional monthly charges:

Service Area	Monthly Rates (\$/Container)			
	Gallons	Current	3/4/2016	1/1/2017
Old Model Colony	96	24.78	25.03	25.28
	64	21.24	21.45	21.66
	32	17.70	17.89	18.08
Ontario Ranch	96	28.00	28.28	28.56
	64	24.00	24.24	24.48
	32	20.00	20.20	20.40

3. Automated Collection – Other miscellaneous one-time solid waste services and products are provided to residential customers at the following rates:

Service or Product	Current	3/4/2016	1/1/2017
Special collection – Late set-out per trip	24.00	24.24	24.48
Cancellation Charge for additional cans if removed in < six months	10.40	10.50	10.60
Elective auto can replacement per can	10.40	10.50	10.60
Restore service after bin removal for non-payment	46.00	46.50	47.00
Extra Bulky item (4 Free pickups per year are included in the rate)	56.00	56.50	57.00
Temporary 4-yard bin (7-day rental)	91.00	93.00	95.00
Charge for each additional empty during 7-day rental	68.00	68.50	69.00
Temporary Greenwaste/Recycle (7-day rental)	59.00	59.50	61.00
Charge for each additional empty during 7-day rental	29.50	30.00	30.50
Compost bin (purchased through Backyard Compost Workshop)	52.00	52.50	53.00

(b) Commercial. The rates for the commercial monthly solid waste service charges for the collection of refuse, organic, recycling and green materials and other miscellaneous one-time solid waste fees are as follows:

1. Commercial bins (Special Empty is half the rate listed below for each bin size).

Bin Monthly Rates (Refuse/Organics) (\$/Pickup and Bin Size in Cubic Yards)									
Bin Size (Cubic Yards)	One Pickup/Week			Each Extra Pickup/Week			Saturday Service		
	Current	3/4/2016	1/1/2017	Current	3/4/2016	1/1/2017	Current	3/4/2016	1/1/2017
1.5	104.00	105.00	106.00	94.68	96.00	97.00	113.62	115.00	116.00
3	123.81	125.00	126.00	110.24	112.00	113.00	131.09	132.00	133.00
4	152.94	155.00	157.00	135.25	137.00	138.00	162.30	164.00	166.00
6	215.36	218.00	220.00	195.60	198.00	200.00	234.72	237.00	240.00
Bin Monthly Rates (Recycling/Green) (\$/Pickup and Bin Size in Cubic Yards)									
Bin Size (Cubic Yards)	One Pickup/Week			Each Extra Pickup/Week			Saturday Service		
	Current	3/4/2016	1/1/2017	Current	3/4/2016	1/1/2017	Current	3/4/2016	1/1/2017
1.5	35.00	35.35	35.70	35.00	35.35	35.70	42.00	42.50	43.00
3	50.00	50.50	51.00	50.00	50.50	51.00	60.00	60.60	61.20
4	59.00	59.60	60.20	59.00	59.60	60.20	70.80	71.50	72.25
6	78.00	78.80	79.60	78.00	78.80	79.60	93.60	94.50	95.50

2. Compactors (Special Empty is half the rate listed below for each Compactor size):

Compactors Monthly Rates (\$/Pickup and Bin Size in Cubic Yards)						
Cubic Yards	For Each Pickup/Week			Saturday Service		
	Current	3/4/2016	1/1/2017	Current	3/4/2016	1/1/2017
1.5	175.83	177.00	179.00	211.00	213.00	215.00
2	198.72	201.00	203.00	238.47	241.00	244.00
3	244.49	247.00	249.00	293.39	296.00	299.00
4	291.31	294.00	297.00	349.58	353.00	357.00
6	383.91	388.00	392.00	460.70	466.00	471.00

3. Roll Off (Compactor/Open Top) service rates per load, with a minimum charge for one pick up per week, are as follows:

Service	Current	3/4/2016	1/1/2017
Refuse per load up to 5 tons	499.00	505.00	510.00
Charge per ton over 5 tons	50.20	50.70	51.20
Excess Weight Charge per ton over 12 tons	113.00	114.00	115.00
Recycle per load-single commodity. Actual disposal costs additional (a,b)	154.00	156.00	158.00

Recycle per load-inert, co-mingled recycling or green waste. Actual disposal costs additional ^(b)	194.00	196.00	198.00
Dead Run Charge	98.00	99.00	100.00
Copies of Weight Slips (ea)	14.50	14.60	14.70
(a) Maximum 5% contamination (b) Actual disposal costs are billed in addition to the per load charge.			

4. Other one-time miscellaneous solid waste services and products are provided to commercial customers at the following rates:

Other Services	Current	3/4/2016	1/1/2017
96 Gallon - Refuse (Commercial/Weekly pickup)	27.14	27.41	27.68
96 Gallon – Co-mingled Recyclables/Green Waste (Commercial/Weekly pickup)	17.70	17.89	18.08
Elective Commercial Bin Replacement	41.00	41.50	42.00
Re-delivery Charge (per bin)	41.00	41.50	42.00
Restore service after commercial bin removal for non-payment	104.00	105.00	106.00
Bin Scouting Service (for pickup with no direct access to the bin) per bin/pickup	9.30	9.40	9.50
Locked Access per lock per month/weekly pickup	10.40	10.50	10.60
Bulky Item Pickup Charge for Additional/Commercial pickups	56.00	56.50	57.00
Tilt Hopper per Month	44.70	45.20	45.70

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, AUTHORIZING INCREASES TO THE RATES FOR ITS SEWER SERVICE CHARGES.

WHEREAS, the City pays the Inland Empire Utilities Agency ("IEUA") to treat wastewater discharged and collected within the City; and

WHEREAS, the City determined to undertake a rate study to analyze the revenue requirements, and the rate structure necessary to proportionately allocate the costs of providing sewer services to its sewer customers, including the cost of the treatment of City sewer services by the IEUA; and

WHEREAS, the rate study demonstrates that existing sewer system revenues are and will be insufficient to cover: (i) current and projected operations and maintenance costs of the City's sewer system (the "System"); and (ii) the capital infrastructure improvements needed to repair, replace, and update the System; and

WHEREAS, a report of the results of the rate study (the "Rate Report"), attached hereto as Exhibit "A" and by this reference incorporated herein, has been prepared which includes the proposed rates for the sewer service charges and documents the estimated and reasonable costs of providing sewer services in the City; and

WHEREAS, the findings and determinations contained herein are based upon the Rate Report documenting the estimated reasonable costs of providing sewer services to customers in the City; and

WHEREAS, the rate structure for sewer service charges is comprised of two components: (i) a charge for capital replacement, operations and maintenance, billing, customer service, and other related costs ("City Charge"); and (ii) a treatment charge for costs imposed on the City by the Inland Empire Utilities Agency ("IEUA Charge") that is passed through by the City to its sewer customers; and

WHEREAS, the City has determined to: (i) adopt a two-year schedule of rate increases to the City Charge and (ii) authorize a two-year schedule of rate increases to the IEUA Charge for the cost of any future rate increases adopted by the IEUA Board of Directors and imposed on the City for the treatment of sewer discharged and collected within the City (each such rate increase by the IEUA is referred to herein as a "Pass Through"); and

WHEREAS, the schedule of proposed rates for the sewer service charges is attached hereto as Exhibit B and by this reference incorporated herein and by this reference made an operative part hereof; and

WHEREAS, to ensure that there are sufficient revenues to provide sewer services to our customers, the City has also determined to annually pass through to sewer customers: (1) any increases in the rates for wholesale wastewater treatment and any other charges that IEUA may impose on the City that are greater than those set forth in Exhibit B (each an "IEUA Pass Through Adjustment"). The City may annually implement any IEUA Pass Through Adjustments for two years, commencing July 1, 2016. Provided, however, that: (1) any increase in the rates set forth in Exhibit B as a result of any IEUA Pass Through Adjustment shall not exceed 5% per year; and (2) in no event shall such rates be increased as a result of an IEUA Pass Through Adjustment by more than the cost of providing sewer service. Any IEUA Pass Through Adjustment will only impact the rates for the IEUA Charge set forth in Exhibit B; and

WHEREAS, the City made available to the public the Rate Report documenting the estimated costs required to provide the sewer services for which the fees are proposed to be increased and the revenue sources anticipated to provide such services; and

WHEREAS, the City Council hereby finds and determines the following with regard to the proposed rate increases to the sewer service charges:

1. The revenues derived from the proposed sewer service charges will not exceed the funds required to provide the sewer services and shall be used exclusively for the System;
2. The amount of the proposed sewer service charges will not exceed the proportional cost of the service attributable to each parcel upon which they are proposed for imposition;
3. The proposed sewer service charges will not be imposed on a parcel unless the sewer services are actually used by, or immediately available to, the parcel;
4. The proposed sewer service charges will not be used for any other purpose than that for which they are imposed;
5. The proposed sewer service charges are not levied for general governmental services;
6. The proposed sewer service charges represent increases in the charges needed to operate sewer collection and treatment facilities; and

WHEREAS, the City hereby finds and determines that in accordance with the provisions of California Constitution article XIII D, section 6 ("Article XIII D"):

1. The City identified the parcels upon which the sewer service charges are proposed to be imposed, and calculated the amount of the charges proposed to be imposed;

2. On December 4, 2015, the City mailed written Notice to the records owners of the parcels upon which the sewer service charges are proposed to be imposed and any tenants directly liable for the payment of sewer service charges ("customers"), which explained: (a) the amount of the charges; (b) the basis on which they were calculated; (c) the reason for the increases; and (d) the date, time, and location of the public hearing on the proposed increases; and

3. On January 19, 2016 (more than 45 days after mailing the Notice), the City conducted a public hearing and considered all written protests against the proposed increases to the sewer service charges.; and

4. At the conclusion of the public hearing, written protests against the proposed increases to the sewer service charges were not presented by a majority of customers subject to the proposed charges; and

WHEREAS, in accordance with the California Environmental Quality Act ("CEQA") and the CEQA Guidelines, the City Staff has determined that the amendments to the Municipal Code, and the increases in sewer service charges are exempt from CEQA pursuant to Section 15378 and Section 15273 of the CEQA Guidelines because: (a) the increased charges are for the purpose of meeting operational and maintenance expenses of the aforementioned services; and (b) the charges constitute the creation of a funding mechanism/other governmental fiscal activity which does not involve any commitment to any specific project which may result in a potentially significant physical impact on the environment.

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

SECTION 1. The City Council hereby finds and determines that the recitals discussed above are true and correct and are hereby incorporated and adopted as findings and determinations by the City Council as if fully set forth herein.

SECTION 2. The current rates for the City sewer service charges as set forth in Exhibit B shall remain in full force and effect in accordance with the schedule set forth in Exhibit B. Commencing March 4, 2016, and January 1, 2017, respectively, the City Council hereby authorizes and establishes the rates for the City Charge component of the sewer service charges at the rates and in the amounts as set forth in Exhibit B.

SECTION 3. Except as otherwise authorized and provided in this Section 3, the current rate for the IEUA Charge as set forth in Exhibit "B" shall remain in full force and effect. Commencing July 1, 2016 and July 1, 2017, respectively, the City Council hereby authorizes future rate increases adopted by the IEUA Board of Directors and imposed on the City for the treatment of wastewater discharged and collected in the City to be passed through to City customers at the rates adopted by IEUA (each such rate increase by the IEUA is referred to herein as a "Pass Through"). Once adopted by the IEUA Board of Directors, the actual Pass Through will be applied to the rates for the IEUA Charges as set forth in Exhibit B. To ensure that there are sufficient revenues to provide sewer services to our customers, the City Council hereby authorizes annually

passing through to customers any IEUA Pass Through Adjustment. Any IEUA Pass Through Adjustment may be implemented for two years, commencing July 1, 2016. Provided, however, that: (1) any increase in the rates set forth in Exhibit B as a result of any IEUA Pass Through Adjustment shall not exceed 5% per year; and (2) in no event shall such rates be increased as a result of an IEUA Pass Through Adjustment by more than the cost of providing sewer service. Any IEUA Pass Through Adjustment will only impact the rates for the IEUA Charge set forth in Exhibit B. Prior to implementing any increase in the sewer service charges as a result of any IEUA Pass Through Adjustment, the City will provide written notice of the rate increase not less than 30 days prior to its effective date.

SECTION 4. The City Council hereby authorizes and directs the City Manager to implement and take all actions necessary to effectuate the rates for the sewer service charges set forth herein.

SECTION 5. If any section, subsection, subdivision, sentence, clause, or phrase in this Ordinance or any part thereof is for any reason held to be unconstitutional or invalid, ineffective by any court of competent jurisdiction, such decision shall not affect the validity or effectiveness of the remaining portions of this Ordinance or any part thereof. The City Council hereby declares that it would have adopted each section irrespective of the fact that any one or more subsections, subdivisions, sentences, clauses, or phrases be declared unconstitutional, invalid, or ineffective.

SECTION 6. This Ordinance shall supersede all other previous City Council resolutions and ordinances that may conflict with, or be contrary to, this Ordinance.

SECTION 7. A full reading of this Ordinance is hereby waived. This Ordinance was introduced at a regular meeting of the City Council of the City of Ontario, California, on January 19, 2016, and thereafter adopted at a regular meeting of the City Council held on the 2nd day of February 2016.

SECTION 8. This Ordinance shall become effective thirty (30) calendar days after its adoption by the City Council.

SECTION 9. The Mayor shall sign this Ordinance and the Assistant 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 Assistant 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.

SECTION 10. City staff is directed to file a Notice of Exemption within five (5) days of the adoption of this Ordinance.

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

PAUL S. LEON, MAYOR

ATTEST:

VICKI KASAD, MMC, ASSISTANT CITY CLERK

APPROVED AS TO FORM:

BEST BEST & KRIEGER LLP
CITY ATTORNEY

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

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

AYES: COUNCIL MEMBERS:

NOES: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

VICKI KASAD, MMC, ASSISTANT CITY CLERK

(SEAL)

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

VICKI KASAD, MMC, ASSISTANT CITY CLERK

(SEAL)

EXHIBIT A

City of Ontario



Solid Waste, Sewer, & Water Rate Report

EXECUTIVE SUMMARY

The City recently evaluated the service and infrastructure needs, programs, operation and maintenance costs of the City's solid waste, sewer and water enterprises. The City has determined that solid waste, sewer and water service charges are and will be insufficient to cover (i) current and projected operations and maintenance costs for providing solid waste, sewer and water services and (ii) the cost of capital infrastructure improvements needed to cover anticipated costs repair and update the City's water and sewer systems. Accordingly, the City has determined that rate increases are necessary to address the need for infrastructure and sewer and water quality improvements, and to avoid operational deficits and depletion of reserves.

The following table illustrates the combined effect of the proposed rate increases on the monthly utility bill for City charges for "Typical Residential" and "Typical Commercial – Industrial" customers over the next two years.

Combined Utility Rate

Typical Residential

Service	Current	March 2016	January 2017
Solid Waste	\$ 27.14	\$ 27.41	\$ 27.68
Sewer	\$ 13.37	\$ 13.50	\$ 13.63
Water	\$ 66.01	\$ 67.49	\$ 68.97
Combined	\$106.52	\$108.40	\$110.28

Typical Commercial - Industrial

Service	Current	March 2016	January 2017
Solid Waste	\$ 288	\$ 291	\$ 294
Sewer	\$ 233	\$ 235	\$ 237
Water	\$ 986	\$1,010	\$1,035
Combined	\$1,507	\$1,536	\$1,566

SOLID WASTE ENTERPRISE

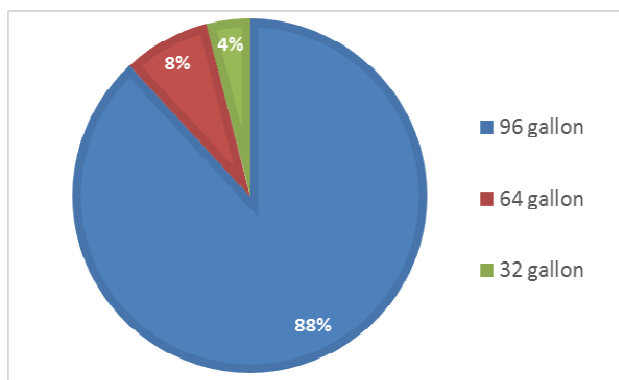
A review of the solid waste service charges indicates that current and projected revenue estimates based on the current rates are not sufficient to cover the anticipated cost of providing solid waste services. Therefore, staff recommends changes to the solid waste rates that the City should charge its customers in calendar years 2016 and 2017. Increases in the cost of handling, transfer and landfill disposal of the materials the City collects and the increased cost of service to meet legislative mandates related to expanded diversion and recycling in order to help reduce greenhouse gas emissions, such as commercial and industrial recycling, food waste recycling, and special material (e.g., tires, mattresses, and electronic waste) handling and recycling programs are primary drivers of the recommended rate increases.

To offset some of the cost increases associated with handling and disposal and regulatory requirements, the City has implemented cost avoidance and cost cutting measures, including extending the useful life of solid waste vehicles to reduce capital replacement cost, and increasing operational efficiency to reduce labor costs, in order limit the proposed rate increase to a minimum.

The City provides the following three types of collection service to its customers:

Automated curbside: The City offers three sizes of containers to automated service customers, 32-gallon, 64-gallon and 96-gallon. The charges are based on the size of containers. In FY 2014-15, the City served approximately 31,250 automated service customers, about eighty-eight percent (88%) of automated service customers used the 96-gallon containers, about eight percent (8%) used the 64-gallon containers and about four percent (4%) used the 32-gallon containers.

Figure 1
FY 2014-15 Residential Curbside Service

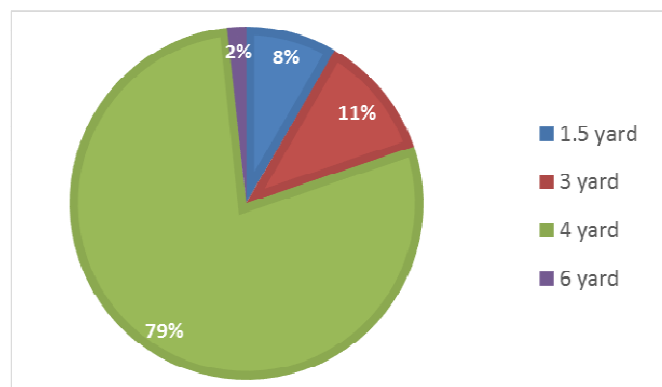


For residential automated service customers, the rates for service are different in the “Old Model Colony” (OMC) and the “Ontario Ranch” based on a differential cost of service. The difference in the cost of service is primarily driven by 1) greater collection times servicing stops; and 2) greater transportation

distances. It takes approximately 20% longer to service a typical residential route in Ontario Ranch than it does in the OMC due to the increased housing densities as well as access. Also, the average distance of travel per day for the collection vehicles is approximately 30% greater than in the OMC. Together, these factors result in a higher cost of service (e.g., more collection vehicles, more personnel, fuel costs, etc.) for the Ontario Ranch when compared to the OMC.

Commercial bins: Commercial bin service includes collection of 1.5 cubic-yard, 3.0 cubic-yard, 4.0 cubic-yard, and 6.0 cubic-yard standard and compactor bins for refuse, organics, greenwaste, and co-mingled recycling. In FY 2014-15, the City serviced approximately 5,655 commercial bin customers and about seventy-nine percent (79%) of these were 4.0 cubic-yard bins.

Figure 2
FY 2014-15 Commercial Bin Service



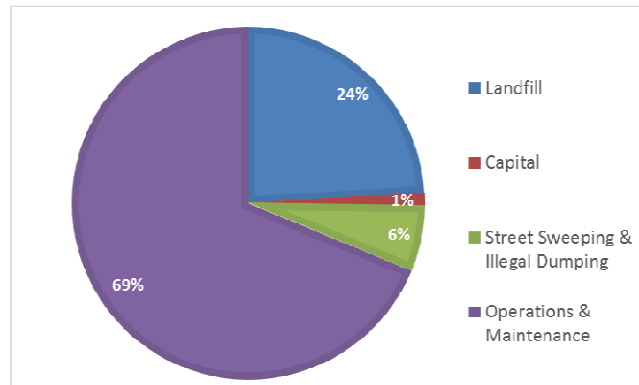
Roll-off bins: Roll-off service includes open-top and compactor service for refuse, single-commodity recycling, greenwaste, and inert material. In FY 2014-15, the City serviced approximately 12,795 roll-off loads.

The City continues to exceed the State mandated diversion rate for recyclable materials. To further encourage recycling, the City offers specific services and rates for co-mingled recycling and greenwaste collection services for automated service customers, organics, greenwaste and co-mingled recycling collection services for commercial bin customers, and single-commodity recycling, greenwaste, and inert collection services for roll-off customers.

Solid waste expenses consist of landfill disposal costs including handling, transfer, and recycling services; operation and maintenance (O&M) expenses including general overhead costs related to supervision,

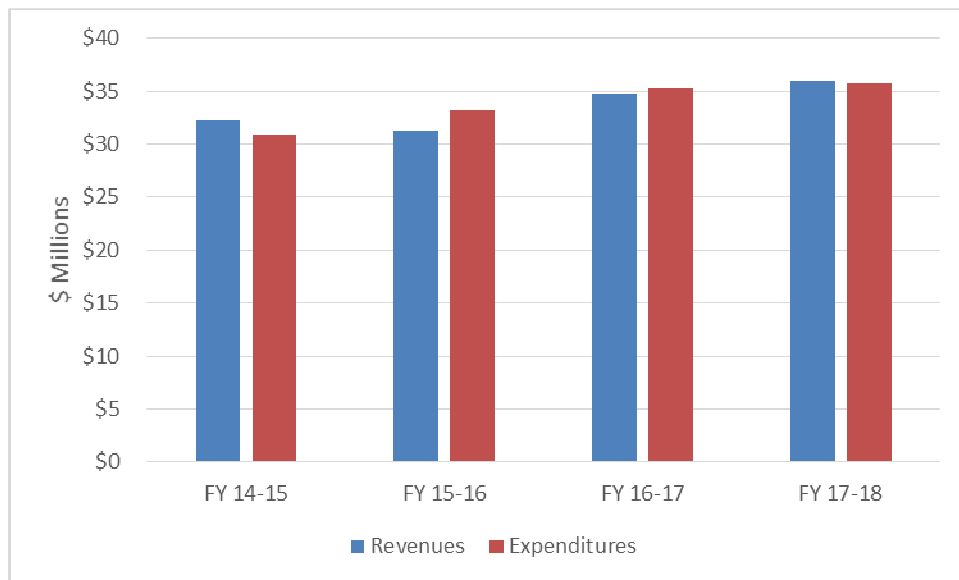
utility billing and customer service, and cost allocations to the General Fund for City provided services; street sweeping and illegal dumping clean up services; and a capital improvement program, as illustrated by Figure 3.

Figure 3
FY 2014-15 Expenses - \$31 million



The City's current solid waste rates will not generate adequate revenue to cover the City's projected expenditures, as illustrated by Figure 4.

Figure 4



Since revenues generated by the existing solid waste service charges included in Table 1 are not adequate to cover the anticipated expenditures to provide solid waste services, staff recommends the following solid waste rates that the City should charge its customers in March 2016 and January 2017. Staff will continue to periodically review the financial plan to ensure continued financial stability.

Current and Proposed Solid Waste Rates

Automated Refuse Container Collection Rates									
Old Model Colony	Gallons	First Refuse Container Set			Additional Refuse Containers				
		Current	3/4/2016	1/1/2017	Current	3/4/2016	1/1/2017		
	96	\$27.14	\$27.41	\$27.68	\$24.78	\$25.03	\$25.28		
	64	\$23.60	\$23.83	\$24.06	\$21.24	\$21.45	\$21.66		
	32	\$20.07	\$20.27	\$20.47	\$17.70	\$17.89	\$18.08		
Ontario Ranch	Gallons	First Refuse Container Set			Additional Refuse Containers				
		Current	3/4/2016	1/1/2017	Current	3/4/2016	1/1/2017		
	96	\$30.67	\$30.97	\$31.27	\$28.00	\$28.28	\$28.56		
	64	\$26.67	\$26.93	\$27.19	\$24.00	\$24.24	\$24.48		
	32	\$22.67	\$22.89	\$23.11	\$20.00	\$20.20	\$20.40		
Bin Monthly Rates (Refuse/Organics)									
Bin Size (Cubic Yards)	One Pickup/Week			Each Extra Pickup/Week			Saturday Service		
	Current	3/4/2016	1/1/2017	Current	3/4/2016	1/1/2017	Current	3/4/2016	1/1/2017
1.5	\$104.00	\$105.00	\$106.00	\$94.68	\$96.00	\$97.00	\$113.62	\$115.00	\$116.00
3	\$123.81	\$125.00	\$126.00	\$110.24	\$112.00	\$113.00	\$131.09	\$132.00	\$133.00
4	\$152.94	\$155.00	\$157.00	\$135.25	\$137.00	\$138.00	\$162.30	\$164.00	\$166.00
6	\$215.36	\$218.00	\$220.00	\$195.60	\$198.00	\$200.00	\$234.72	\$237.00	\$240.00
Bin Monthly Rates (Recycling/Green)									
Bin Size (Cubic Yards)	One Pickup/Week			Each Extra Pickup/Week			Saturday Service		
	Current	3/4/2016	1/1/2017	Current	3/4/2016	1/1/2017	Current	3/4/2016	1/1/2017
1.5	\$35.00	\$35.35	\$35.70	\$35.00	\$35.35	\$35.70	\$42.00	\$42.50	\$43.00
3	\$50.00	\$50.50	\$51.00	\$50.00	\$50.50	\$51.00	\$60.00	\$60.60	\$61.20
4	\$59.00	\$59.60	\$60.20	\$59.00	\$59.60	\$60.20	\$70.80	\$71.50	\$72.25
6	\$78.00	\$78.80	\$79.60	\$78.00	\$78.80	\$79.60	\$93.60	\$94.50	\$95.50
Roll Off Container Service Rates									
			Current	3/4/2016	1/1/2017				
Refuse (Open Top or Compactor) Includes Disposal up to 5 tons			\$499.00	\$505.00	\$510.00				
Recycling (Open Top or Compactor) Actual Disposal Costs Additional			\$154.00	\$156.00	\$158.00				
Inert/Green/Wood (Open Top or Compactor) Actual Disposal Costs Additional			\$194.00	\$196.00	\$198.00				
Compactor Bin Monthly Rates									
Bin Size (Cubic Yards)	One Pickup/Week			Each Extra Pickup/Week			Saturday Service		
	Current	3/4/2016	1/1/2017	Current	3/4/2016	1/1/2017	Current	3/4/2016	1/1/2017
1.5	\$175.83	\$177.00	\$179.00	\$175.83	\$177.00	\$179.00	\$211.00	\$213.00	\$215.00
2	\$198.72	\$201.00	\$203.00	\$198.72	\$201.00	\$203.00	\$238.47	\$241.00	\$244.00
3	\$244.49	\$247.00	\$249.00	\$244.49	\$247.00	\$249.00	\$293.39	\$296.00	\$299.00
4	\$291.31	\$294.00	\$297.00	\$291.31	\$294.00	\$297.00	\$349.58	\$353.00	\$357.00
6	\$383.91	\$388.00	\$392.00	\$383.91	\$388.00	\$392.00	\$460.70	\$466.00	\$471.00

SEWER ENTERPRISE

A review of the sewer service charges indicates that current and projected revenue estimates based on the current rates are not sufficient to cover the anticipated cost of providing sewer services. Therefore, staff recommends changes to sewer rates that the City should charge its customers in calendar years 2016 and 2017.

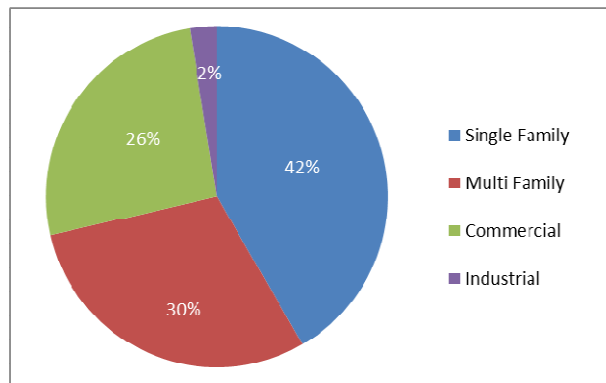
Sewer service charges are billed on a monthly basis. The rate structure for sewer service charges has three customer classifications – (1) single-family residential customers; (2) multi-family residential customers; and (2) non-residential, which includes commercial and industrial customers. The rate structure is comprised of two components: (1) a charge for capital replacement, operations and maintenance, billing, customer service, and other related costs (“City Charge”); and (2) a treatment charge for costs imposed on the City by Inland Empire Utilities Agency (IEUA) (“IEUA Charge”) that is passed through by the City to its sewer customers. The rates are calculated to proportionately allocate capital replacement, operations, maintenance, and treatment costs to each customer class.

For single-family and multi-family residential customers, the rates for the City Charge are determined on the basis of the number of residential units on the property. For non-residential customers, the rates for the City Charge have two components: (1) a variable equivalent dwelling unit (EDU) charge; and (2) a fixed unit charge. The EDU charge is determined on the basis of the amount of metered water delivered to the property and assumptions of the amount of water returned to the sewer (i.e., “flow”) based on the customer’s classification, and is designed to recover a portion of the utility’s costs of providing sewer service such as capital replacement, operations and maintenance, billing and customer service. The fixed unit charge is determined on the basis of the type of commercial activity where the service is provided and is designed to recover a portion of the utility’s cost of providing sewer service such as permitting, inspection and environmental regulatory costs.

The IEUA Charge for residential and non-residential is based on the number of EDUs. For residential customers, this charge is fixed at one (1) EDU of a single family residence, and seven tenths of one (0.7) EDU for a multi-family unit. For non-residential customers, the charge varies from month to month based on the number of EDUs as determined by sewer flow and water consumption.

As shown in Figure 5, together, single-family and multi-family customers are approximately 72 percent of the EDUs.

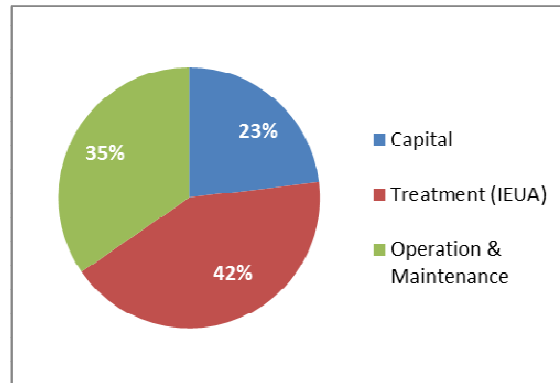
Figure 5
FY 2014-15 EDUs by Customer Class



The City sewer expenses consist of the cost of operation and maintenance (O&M) including sewer line cleaning, video inspection, repairs, and environmental programs. In accordance with the City's Sewer System Management Plan (SSMP), approximately 1.2 million linear feet of sewer collection pipelines are inspected and cleaned in order to prevent the buildup of debris, such as sand, silt, grease, roots and rocks that can significantly reduce the capacity of the pipes causing blockages and overflows. Environmental program responsibilities include issuance of industrial discharge permits, monitoring sewer discharge data, conducting compliance inspections of commercial grease interceptors as part of the City's "FOG" (Fats, Oils & Grease) program and inspections of permitted industrial facilities, as well as monitoring and reporting on sanitary sewer overflows (SSO). Other costs covered by the City charges for sewer services include general overhead costs related to supervision, utility billing and customer service, cost allocations to the General Fund for City provided services, and a capital improvement program, as shown in Figure 6.

The City's sewer system consists of more than 393 miles of sewer pipes along with 7,800 manholes and cleanouts, and the average age of pipelines throughout Ontario is about 45 years, with some sections still in use today that date back to the 1890's. The sewer master plan estimates the cost to replace the entire system today at more than \$325 million. Additionally, the master plan identifies more than \$100 million in capital improvement projects that are needed to correct existing system deficiencies where peak sewer flows are greater than the capacity of the pipelines. The overall age and condition of the sewer system creates a significant liability for the sewer fund. The capital improvement program is developed in order to prioritize projects within available funding, currently averaging about \$5 million per year, in order to address this liability on an annual basis.

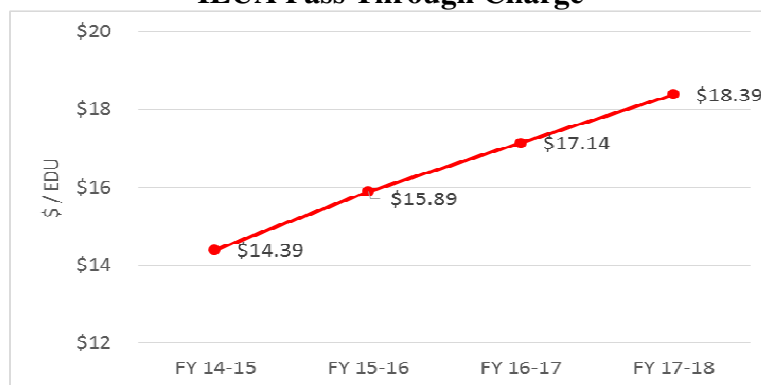
Figure 6
FY 2014-15 Expenses - \$21 million



The graph includes the cost of treatment provided by IEUA. The City pays IEUA to treat its sewer and these costs are passed on to City sewer customers through the IEUA Charge.

Based on IEUA projections, the current IEUA charge will not generate adequate revenues to cover the treatment cost. The IEUA Board has adopted increases to the IEUA Charge, from the current charge of \$15.89 per EDU to \$17.14 per EDU in 2016 and \$18.39 per EDU in 2017 (see Figure 7). If approved by the City Council, the proposed IEUA Charges may be imposed for the periods commencing on July 1, 2016 and July 1, 2017, respectively. Prior to implementing any IEUA Pass Through Adjustment that the IEUA Board may consider and adopt, the City will provide written notice of the rate increase not less than 30 days prior to its effective date.

Figure 7
IEUA Pass Through Charge



The City's current sewer rates will not provide adequate revenue to cover the City's costs for O&M and the capital improvement program, as illustrated by Figure 8.

Figure 8

As a result of the anticipated increases in the costs of providing sewer service, the City is proposing to increase the City Charges for sewer services in March 2016 and January 2017 and to pass through future IEUA Charges for treatment over the two-year period. The proposed rates for the sewer service charges are set forth below for the different customer classes are summarized in Table 2.

Table 2
Current and Proposed Sewer Rates

EDU Rates				Unit Rates			
Customer Class	Current	3/4/2016	1/1/2017	**Rates for Per Building Unit or Room Sewer Service Charges for Non-Residential Customers	Current	3/4/2016	1/1/2017
Single Family Residential (\$/Unit)	\$13.37	\$13.50	\$13.63	Hotel/Motel (\$/ Room)	\$8.38	\$8.45	\$8.55
Multiple Family Residential (\$/Unit)	\$12.84	\$12.97	\$13.10	Professional Offices (\$/ Building Unit)	\$13.16	\$13.30	\$13.45
Non-Residential per EDU * (\$/EDU)	\$13.37	\$13.50	\$13.63	Other Commercial (\$/Building Unit)	\$32.25	\$32.60	\$32.90
(*) EDU (Equivalent Dwelling Unit) is a term used to compare the flows from non-residential units in terms of flows generated by a single family residential unit. (**) Non-residential customers also pay a “per building unit” charge as shown in the table at right.				Categorical/Significant Industry (\$/ Permitted Unit (SIU))	\$120.62	\$121.80	\$123.00
				Class II Industry (\$/Permitted Unit)	\$120.62	\$121.80	\$123.00
				Other Industries (\$/Permitted Unit)	\$60.37	\$61.00	\$61.60

Based on the charges adopted and imposed on the City by IEUA, the current and proposed rates for IEUA Charges are set forth below:

CURRENT AND PROPOSED MONTHLY RATES FOR IEUA CHARGES

Monthly Rates	IEUA Pass Through Rates		
	Current	7/1/2016	7/1/2017
Volumetric Rate per EDU*	\$15.89	\$17.14	\$18.39
(*) EDU (Equivalent Dwelling Unit) is a term used to compare the flows from non-residential units in terms of flows generated by a single family residential unit. Multi-family is 0.7 EDU.			

WATER ENTERPRISE

A review of the water service charges indicates that current and projected revenue estimates based on the current rates are not sufficient to cover the anticipated cost of providing water services. Therefore, staff recommends changes to water rates that the City should charge its customers in calendar years 2016 and 2017.

Water service charges are billed on a monthly basis. The proposed water rate structure for water service charges has two customer classes – (1) residential, which includes single-family and multi-family customers; and (2) non-residential, which includes, commercial and industrial customers. The rate structure is comprised of two components: (1) a fixed monthly service charge (the “Readiness to Serve Charge”); and (2) a variable monthly water usage charge (the “Commodity Charge”). The Readiness to Serve Charge is a fixed charge established on the basis of the meter size of the property receiving water service from the City and is calculated to recover the City’s fixed costs of water facilities repairs and replacements as well as the cost of meter reading, billing and customer service. The Commodity Charge is calculated on the basis of the cost of providing water, including purchasing water, managing the City’s water resources, and deterring water waste and encouraging water use efficiency, and a portion of the utility’s fixed costs, and consists of two tiers which will impose higher rates per unit of water (one unit equals one hundred cubic feet or 748 gallons) as the level of consumption increases. The first tier cut-off is 15 hundred cubic feet (hcf) per month. Together, the two components are structured in such a way as to proportionately allocate capital replacement, operations and maintenance costs to each customer class, while managing the City’s water resources.

In addition to the general water service charge imposed on property owners, the City also imposes a monthly private fire service fee on certain properties. The private fire service fee is imposed only as a condition of extending or initiating water service by (i) the installation of a private fire hydrant, or (ii) upon the request of the consumer or property owner for the delivery of water to the property for the purpose of private fire service protection.

The City serves approximately 33,570 individual water customer accounts. Single family accounts make up the largest customer group with approximately 79 percent of the total accounts (see Figure 9). The average water usage for a single family residence is approximately 18 hcf per month (450 gallons per day), and single family residents accounted for about 35 percent of the total water consumed in the City (see Figure 10).

Figure 9

FY 2014-15 Meters by Customer Class

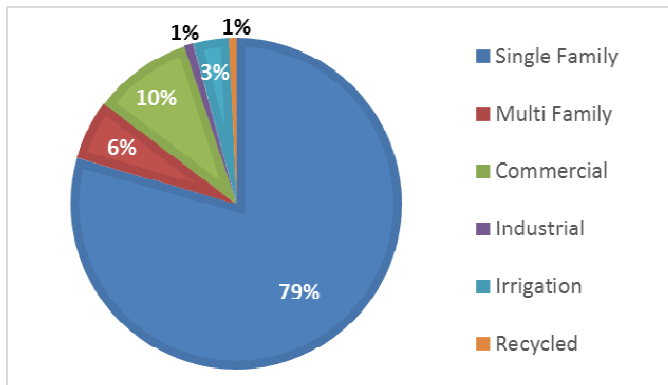
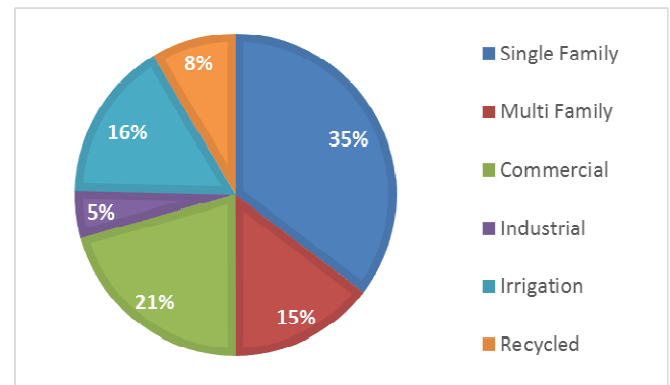


Figure 10

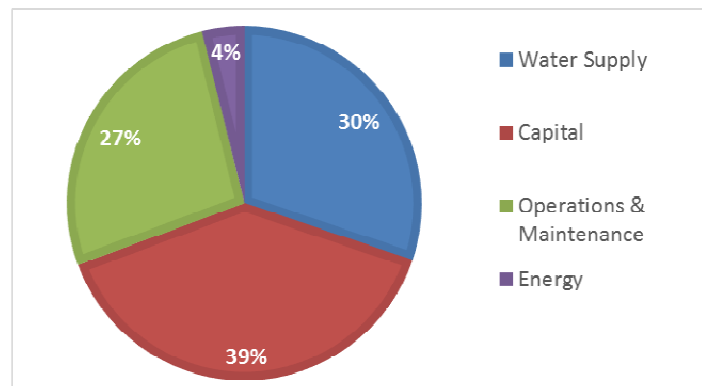
FY 2014-15 Usage by Customer Class



Water expenses consist of water supply costs including the cost to purchase imported water and supplemental water production rights, cost of energy for water production; other operation and maintenance (O&M) expenses including cost of system maintenance, general overhead costs related to supervision, utility billing and customer service, and cost allocations to the General Fund for City provided services; and a capital improvement program, as illustrated by Figure 11.

Figure 11

FY 2014-15 Expenses - \$59 million



The City's potable water supply includes imported water from Metropolitan Water District (MWD), groundwater pumped from its wells in the Chino Basin, and desalted water from the Chino Basin Desalter Authority (CDA) (see Figure 12). The Desalter expansion that is currently underway is anticipated to provide 3,533 acre feet (AF) of additional potable water per year. In addition to these potable water sources, the City uses recycled water for groundwater replenishment and for direct use in landscape irrigation and some industrial applications.

While an important part of Ontario's water supply, there is rapid escalation in the cost to purchase recycled water from IEUA, as illustrated by Figure 13. As a result, the cost to provide recycled water to Ontario's customers has increased.

Figure 12
FY 2014-15 Water Supply by Source

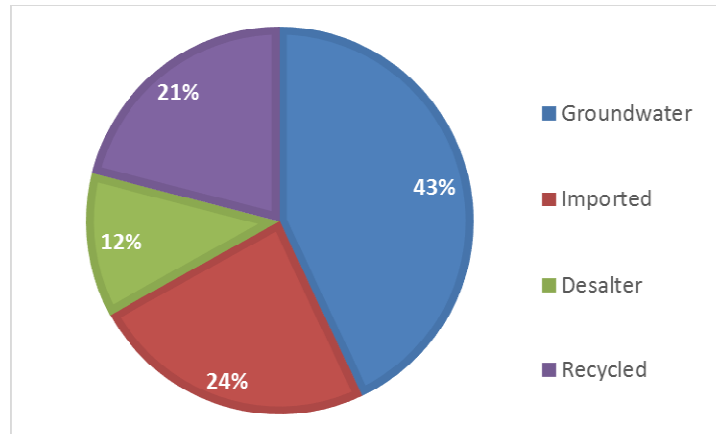
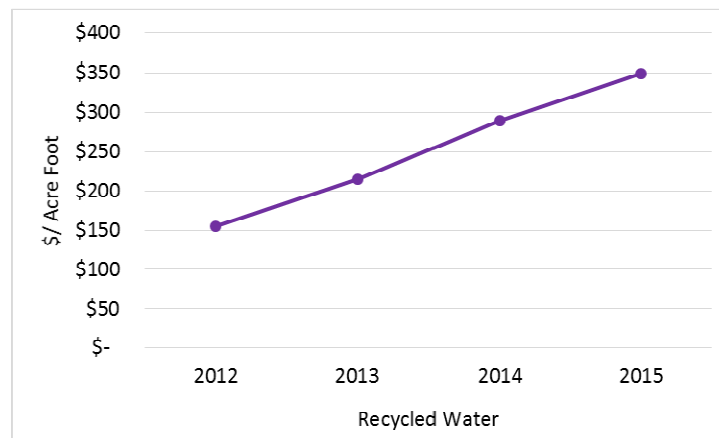


Figure 13
Recycled Water Cost (\$/AF)

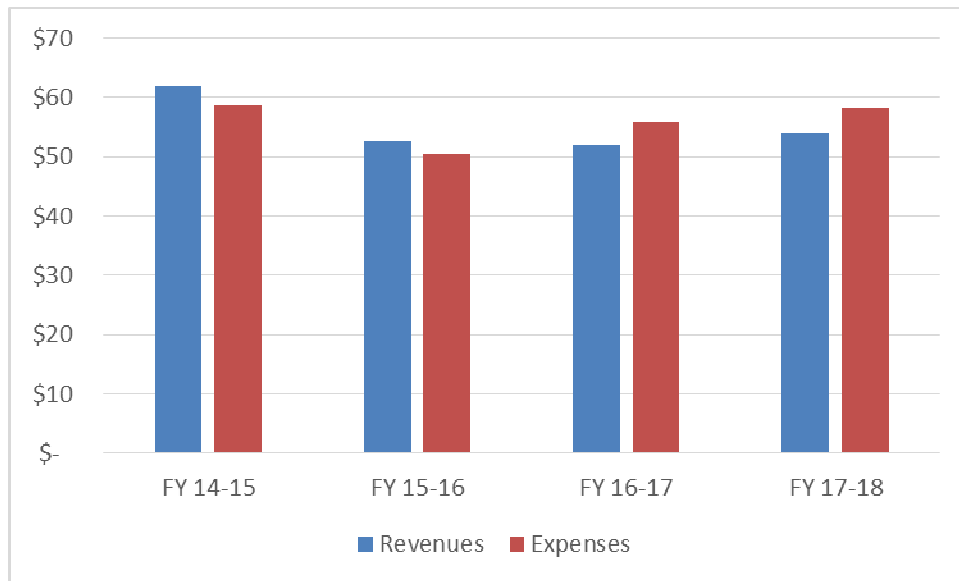


The water and recycled water master plans establish the basis and cost for new and replacement capital infrastructure required to maintain reliable water service for existing users and to expand the water systems for future users. The City maintains about 605 miles of main water pipelines, and the average age of the pipelines throughout Ontario is about 35 years, with about 115 miles (21%) of these being 50 years and older. The water system also consists of 24 active groundwater wells, 12 water reservoirs that store 75 million gallons of water, pressure reducing stations, booster stations, and water treatment facilities. The water master plan estimates the cost to replace the entire system today at more than \$700 million. Additionally, the master plans identify more than \$150 million in capital improvements that are needed to correct existing deficiencies primarily related to meeting fire flow requirements. Planned infrastructure improvements include ongoing meter replacement, additional water storage capacity, replacement of aging water production wells (five out of the City's twenty-four active wells are more than 40 years old),

additional water treatment, and projects that will provide site security and system reliability such as seismic retrofits for existing water facilities.

The City's projected expenditures will exceed the available resources under the existing rates, as illustrated by Figure 14.

Figure 14



The City has experienced and anticipates future increases in the costs to operate and maintain the water system and to provide ongoing water system repairs, replacements, and upgrades. As a result of the anticipated increases in the costs of providing water service, the City is proposing to increase the City Charges for water services over the two-year period, commencing March 2016 and January 2017. Included in the proposed rates are the cost of imported water from wholesale agencies and fees imposed by regulatory agencies. The proposed rates for water service charges for the different customer classes are summarized in Table 3 below:

Table 3
Current and Proposed Water Rates

Monthly Water Use (Potable)	Commodity Charge Rates \$/HCF (Hundred Cubic Feet = 748 gallons)		
	Current	3/4/2016	1/1/2017
0-15 HCF	\$2.34	\$2.39	\$2.44
More than 15 HCF	\$2.72	\$2.78	\$2.84

Monthly Water Use (Recycled)	Commodity Charge Rates \$/HCF (Hundred Cubic Feet = 748 gallons)		
	Current	3/4/2016	1/1/2017
Per HCF	\$1.56	\$1.63	\$1.71

Fire Service Charge Rates \$/Month				Readiness-to-Serve Charge Rates \$/Month						
				Meter Size	Potable Water Rates			Recycled Water Rates		
Pipe Size	Current	3/4/2016	1/1/2017		Current	3/4/2016	1/1/2017	Current	3/4/2016	1/1/2017
2"	\$12.10	\$12.40	\$12.70	5/8"	\$22.75	\$23.30	\$23.85	\$12.60	\$13.25	\$13.90
4"	\$24.65	\$25.25	\$25.85	3/4"	\$30.70	\$31.45	\$32.20	\$17.10	\$17.95	\$18.85
6"	\$49.05	\$50.25	\$51.45	1"	\$40.40	\$41.35	\$42.35	\$22.45	\$23.60	\$24.80
8"	\$69.35	\$71.00	\$72.70	1.5"	\$89.65	\$91.80	\$94.00	\$49.75	\$52.25	\$54.85
10"	\$94.05	\$96.30	\$98.60	2"	\$129.25	\$132.00	\$135.00	\$71.75	\$75.30	\$79.00
12"	\$183.60	\$188.00	\$193.00	3"	\$252.05	\$258.00	\$264.00	\$139.95	\$147.00	\$154.00
16"	\$365.55	\$374.00	\$383.00	4"	\$399.60	\$409.00	\$419.00	\$221.85	\$233.00	\$245.00
				6"	\$826.05	\$846.00	\$866.00	\$458.65	\$482.00	\$506.00
				8"	\$1,225.85	\$1,255.00	\$1,285.00	\$680.70	\$715.00	\$750.00
				10"	\$1,891.20	\$1,937.00	\$1,983.00	\$1,050.10	\$1,100.00	\$1,155.00

EXHIBIT B

(a) The rate structure for City sewer service charges is comprised of two components: (1) a charge for capital replacement, operations and maintenance, billing, customer service, and other related costs ("City Charge"); and (2) a treatment charge for costs imposed on the City by Inland Empire Utilities Agency ("IEUA Charge") that is passed through by the City to its sewer customers.

(b) The monthly charges for sewer services shall be the sum of the IEUA Charge as listed under sub-section (c) below plus the City Charge as listed under sub-section (d) below.

(c) The current rates for the IEUA Charge per equivalent dwelling unit ("EDU") is \$15.89, and the adopted rates for the IEUA Charge per EDU effective July 1, 2016 and July 1, 2017 are \$17.14 and \$18.39, respectively. Future rate increases adopted by the IEUA Board of Directors and imposed on the City for the treatment of wastewater discharged and collected in the City shall be passed through to City customers at the rates adopted by IEUA (each such rate increase by the IEUA is referred to herein as a "Pass Through"). Once adopted by the IEUA Board of Directors, the actual Pass Through will be applied to the rates for the IEUA Charges as follows:

1. The monthly rate for the IEUA Charge per unit for single-family residential property shall be equal to the charge per one (1) EDU.

2. The monthly rate for the IEUA Charge per unit for multiple-family residential property shall be equal to the charge per seven tenths of one (0.7) EDU.

3. The monthly rate for the IEUA Charge for non-residential customers shall be equal to the charge per one (1) EDU multiplied by the number of EDUs assigned to the non-residential customer's property.

(d) The monthly rates for the City Charge for single-family and multiple family residential customers are billed on a per residential building unit basis. The rates for certain non-residential customers are billed on an EDU basis, where an EDU is determined on the basis of the amount of metered water delivered to the property and assumptions of the amount of water returned to the sewer (i.e., "flow") based on the customer's classification. The rates for these customers shall be as follows:

Customer Classification	City Charge Rates (\$/EDU or Unit)		
	Current Rates	Rates Effective 3/4/2016	Rates Effective 1/1/2017
Single Family Residential per Month per Unit	13.37	13.50	13.63
Multiple Family Residential per Month per Unit	12.84	12.97	13.10
Non-Residential per Month per EDU	13.37	13.50	13.63

(e) The monthly rates for the City Charge for certain non-residential customers shall be the sum of the per building unit charges listed below and the number of EDUs, where an EDU is determined on the basis of the amount of metered water delivered to the property and assumptions of the amount of water returned to the sewer (i.e., “flow”) based on the customer’s classification, multiplied by the EDU rate listed under subsection (d) above. With the exception of hotels and motels, one (1) unit equals one (1) building unit. For hotels and motels, one (1) unit equals one (1) room.

Per Unit Sewer Service Collection Charges for Non-Residential Customers	Current Rates (\$)	Rates (\$) Effective 3/4/2016	Rates (\$) Effective 1/1/2017
Hotel/Motel per room charge	8.38	8.45	8.55
Professional Offices per building unit charge	13.16	13.30	13.45
Other Commercial per building unit charge	32.25	32.60	32.90
Categorical/Significant Industry per permitted unit	120.62	121.80	123.00
Class II Industry per permitted unit	120.62	121.80	123.00
Other Industries per permitted unit	60.37	61.00	61.60

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, AUTHORIZING INCREASES TO THE RATES FOR ITS WATER SERVICE CHARGES, NEW METER CHARGES AND OTHER MISCELLANEOUS ONE-TIME WATER FEES.

WHEREAS, approximately one third of the City's potable water supply is imported from Northern California via the California Aqueduct and is purchased indirectly from the Metropolitan Water District of Southern California ("MWD") through the Inland Empire Utility Agency ("IEUA"); and

WHEREAS, this water is delivered to the Water Facilities Authority ("WFA") for treatment and sale to the City; and

WHEREAS, the City is subject to certain regulatory requirements and charges imposed by the Chino Basin Watermaster (the "Watermaster") to protect the groundwater basin within the City, and costs of such regulatory requirements and charges are passed on to City water customers through its water service fees; and

WHEREAS, the City has experienced and anticipates future increases in the costs to operate and maintain the potable and recycled water systems (collectively "System") and to provide ongoing repairs, replacements, and upgrades to the System, including costs imposed on the City by MWD, IEUA, WFA, and the Watermaster; and

WHEREAS, the City determined to undertake a rate study to analyze the revenue requirements, and the rate structure necessary to proportionately allocate the costs of providing ongoing water services; and

WHEREAS, the rate study demonstrates that existing System revenues are and will be insufficient to cover: (i) current and projected operations and maintenance costs of the System; and (ii) the capital infrastructure improvements needed to repair, replace, and update the System; and

WHEREAS, a report of the results of the rate study (the "Rate Report"), attached hereto as Exhibit A and by this reference incorporated herein, has been prepared which includes the proposed rates for the potable and recycled water service charges and documents the estimated and reasonable costs of providing such services; and

WHEREAS, the findings and determinations contained herein are based upon the Rate Report documenting the estimated reasonable costs of providing potable and recycled water services; and

WHEREAS, the City has determined to increase the rates for its potable and recycled water service charges for a two-year period, commencing March 4, 2016 and January 1, 2017, respectively; and

WHEREAS, the City has also determined to increase the rates for new meter charges and other miscellaneous one-time water fees that are imposed as a request for a water service or product; and

WHEREAS, the schedule of proposed rates for the potable and recycled water service charges for ongoing water service, the new meter charges and other miscellaneous one-time water charges is attached hereto as Exhibit B and by this reference incorporated herein; and

WHEREAS, the City made available to the public the Rate Report documenting the estimated costs required to provide the potable and recycled water services for which the charges are proposed to be increased and the revenue sources anticipated to provide such services; and

WHEREAS, the City Council hereby finds and determines the following with regard to the proposed rate increases to the potable and recycled water service charges:

1. The monthly potable and recycled water service charges consist of two components: (a) a fixed monthly service charge (the "Readiness-to-Serve Charge"), which is imposed only as a condition of extending or initiating service upon the request of a customer; and (b) a variable monthly water usage charge (the "Commodity Charge"), which is imposed on the basis of the amount of water used or consumed by the customer;

2. The rates for the Readiness-to-Serve Charge are established on the basis of the meter size of the property receiving water service from the City and are calculated to recover the City's fixed costs of water facilities repairs and replacements, as well as the cost of meter reading, billing and customer service. The rates for the Commodity Charge are calculated on the basis of the cost of providing water, including purchasing water, managing the City's water resources, and deterring water waste and encouraging water use efficiency, and a portion of the utility's fixed costs. For potable water, the Commodity Charge consists of two tiers which will impose higher rates per one hundred cubic feet (HCF) of water as the level of consumption increases. For recycled water, there is a uniform rate for each HCF of water delivered;

3. A private Fire Service Charge is imposed only as a condition of extending or initiating such service by the installation of a private fire hydrant and upon the request of the consumer or property owner for the delivery of water to the property for the purpose of private fire service protection. The rates for the monthly Fire Service Charges are established on the basis of the size of the pipes through which the water is delivered to the private fire hydrant and are calculated to recover the cost of providing water to such properties for private fire service protection;

4. The proposed potable and recycled water service charges referenced above and those included in Exhibit B represent increases in such fees and charges;

5. The revenues derived from the proposed potable and recycled water service charges will not exceed the funds required to provide the water services and shall be used exclusively for the System;

6. The amount of the proposed potable and recycled water service charges will not exceed the proportional cost of the service attributable to each parcel upon which they are proposed for imposition;

7. The proposed potable and recycled water service charges will not be imposed on a parcel unless the water services are actually used by, or immediately available to, the customer of the parcel;

8. The proposed potable and recycled water service charges will not be used for any other purpose than that for which they are imposed;

9. The proposed potable and recycled water service charges are not levied for general governmental services;

10. The proposed potable and recycled water service charges represent increases in the charges needed to provide water services and to operate System; and

WHEREAS, the City hereby finds and determines that in accordance with the provisions of California Constitution article XIII D, section 6 ("Article XIII D") :

1. The City identified the parcels upon which the increased potable and recycled water service charges are proposed to be imposed, and calculated the amount of the fees and charges proposed to be imposed;

2. On December 4, 2015, the City mailed written notice to the record owners of the parcels upon which the potable and recycled water service charges are proposed to be imposed and any tenants directly liable for the payment of potable and recycled water service charges ("customers") of each parcel upon which the proposed increases to the potable and recycled water service charges are proposed for imposition, which explained: (a) the amount of the charges; (b) the basis on which they were calculated; (c) the reason for the increases; and (d) the date, time, and location of the public hearing on the proposed increases; and

3. On January 19, 2016 (more than 45 days after mailing the notice), the City conducted a public hearing and considered all written protests against the proposed increases to the potable and recycled water service charges; and

4. At the conclusion of the public hearing, written protests against the proposed increases to the potable and recycled water service charges were not presented by a majority of customers subject to the proposed charges; and

WHEREAS, the City hereby finds and determines that in accordance with the provisions of California Constitution article XIII C, section 1(e)(2), the new meter charges and other miscellaneous one-time fees that are imposed as a request for service or product provided directly to the payor that is not provided to those not charged, and do not exceed the reasonable costs to the City of providing the service or product; and

WHEREAS, in accordance with the California Environmental Quality Act ("CEQA") and the CEQA Guidelines, the City Staff has determined that the amendments to the Municipal Code, and the increases in potable and recycled water service charges, the new meter charges and other miscellaneous one-time water fees are exempt from CEQA pursuant to Section 15378 and Section 15273 of the CEQA Guidelines because: (a) the increased fees and charges are for the purpose of meeting operational and maintenance expenses of the aforementioned services; and (b) the charges constitute the creation of a funding mechanism/other governmental fiscal activity which does not involve any commitment to any specific project which may result in a potentially significant physical impact on the environment.

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

SECTION 1. The City Council hereby finds and determines that the recitals discussed above are true and correct and are hereby incorporated and adopted as findings and determinations by the City Council as if fully set forth herein.

SECTION 2. The current rates for potable and recycled water service charges as set forth in Exhibit B shall remain in full force and effect in accordance with the schedule set forth in Exhibit B. Commencing March 4, 2016, and January 1, 2017, respectively, the City Council hereby authorizes and establishes the rates for potable and recycled water service charges as more fully set forth in Exhibit B.

SECTION 3. The current rates for the new meter charges and other miscellaneous one-time water fees as set forth in Exhibit B shall remain in full force and effect in accordance with the schedule set forth in Exhibit B. Commencing March 4, 2016, and January 1, 2017, respectively, the City Council hereby authorizes and establishes the rates for the new meter charges and other miscellaneous one-time water fees as more fully set forth in Exhibit B.

SECTION 4. The City Council hereby authorizes and directs the City Manager to implement and take all actions necessary to effectuate the rates for the potable and recycled water service charges, the new meter charges and other miscellaneous one-time water fees set forth in Exhibit B.

SECTION 5. If any section, subsection, subdivision, sentence, clause, or phrase in this Ordinance or any part thereof is for any reason held to be unconstitutional or invalid, ineffective by any court of competent jurisdiction, such decision shall not affect the validity or effectiveness of the remaining portions of this Ordinance or any part thereof. The City Council hereby declares that it would have adopted each section irrespective of the fact that any one or more subsections, subdivisions, sentences, clauses, or phrases be declared unconstitutional, invalid, or ineffective.

SECTION 6. This Ordinance shall supersede all other previous City Council resolutions and ordinances that may conflict with, or be contrary to, this Ordinance.

SECTION 7. A full reading of this Ordinance is hereby waived. This Ordinance was introduced at a regular meeting of the City Council of the City of Ontario, California, on January 19, 2016, and thereafter adopted at a regular meeting of the City Council held on the 2nd day of February 2016.

SECTION 8. This Ordinance shall become effective thirty (30) calendar days after its adoption by the City Council.

SECTION 9. The Mayor shall sign this Ordinance and the Assistant 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 Assistant 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.

SECTION 10. City staff is directed to file a Notice of Exemption within five (5) days of the adoption of this Ordinance.

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

PAUL S. LEON, MAYOR

ATTEST:

VICKI KASAD, MMC, ASSISTANT CITY CLERK

APPROVED AS TO FORM:

BEST BEST & KRIEGER LLP
CITY ATTORNEY

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

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

AYES: COUNCIL MEMBERS:

NOES: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

VICKI KASAD, MMC, ASSISTANT CITY CLERK

(SEAL)

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

VICKI KASAD, MMC, ASSISTANT CITY CLERK

(SEAL)

EXHIBIT A

City of Ontario



Solid Waste, Sewer, & Water Rate Report

EXECUTIVE SUMMARY

The City recently evaluated the service and infrastructure needs, programs, operation and maintenance costs of the City's solid waste, sewer and water enterprises. The City has determined that solid waste, sewer and water service charges are and will be insufficient to cover (i) current and projected operations and maintenance costs for providing solid waste, sewer and water services and (ii) the cost of capital infrastructure improvements needed to cover anticipated costs repair and update the City's water and sewer systems. Accordingly, the City has determined that rate increases are necessary to address the need for infrastructure and sewer and water quality improvements, and to avoid operational deficits and depletion of reserves.

The following table illustrates the combined effect of the proposed rate increases on the monthly utility bill for City charges for "Typical Residential" and "Typical Commercial – Industrial" customers over the next two years.

Combined Utility Rate

Typical Residential

Service	Current	March 2016	January 2017
Solid Waste	\$ 27.14	\$ 27.41	\$ 27.68
Sewer	\$ 13.37	\$ 13.50	\$ 13.63
Water	\$ 66.01	\$ 67.49	\$ 68.97
Combined	\$106.52	\$108.40	\$110.28

Typical Commercial - Industrial

Service	Current	March 2016	January 2017
Solid Waste	\$ 288	\$ 291	\$ 294
Sewer	\$ 233	\$ 235	\$ 237
Water	\$ 986	\$1,010	\$1,035
Combined	\$1,507	\$1,536	\$1,566

SOLID WASTE ENTERPRISE

A review of the solid waste service charges indicates that current and projected revenue estimates based on the current rates are not sufficient to cover the anticipated cost of providing solid waste services. Therefore, staff recommends changes to the solid waste rates that the City should charge its customers in calendar years 2016 and 2017. Increases in the cost of handling, transfer and landfill disposal of the materials the City collects and the increased cost of service to meet legislative mandates related to expanded diversion and recycling in order to help reduce greenhouse gas emissions, such as commercial and industrial recycling, food waste recycling, and special material (e.g., tires, mattresses, and electronic waste) handling and recycling programs are primary drivers of the recommended rate increases.

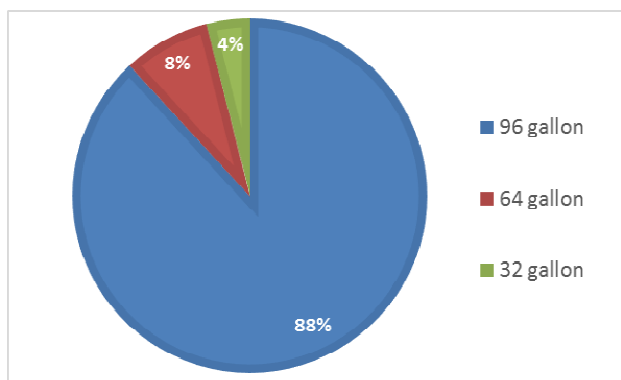
To offset some of the cost increases associated with handling and disposal and regulatory requirements, the City has implemented cost avoidance and cost cutting measures, including extending the useful life of solid waste vehicles to reduce capital replacement cost, and increasing operational efficiency to reduce labor costs, in order limit the proposed rate increase to a minimum.

The City provides the following three types of collection service to its customers:

Automated curbside: The City offers three sizes of containers to automated service customers, 32-gallon, 64-gallon and 96-gallon. The charges are based on the size of containers. In FY 2014-15, the City served approximately 31,250 automated service customers, about eighty-eight percent (88%) of automated service customers used the 96-gallon containers, about eight percent (8%) used the 64-gallon containers and about four percent (4%) used the 32-gallon containers.

Figure 1

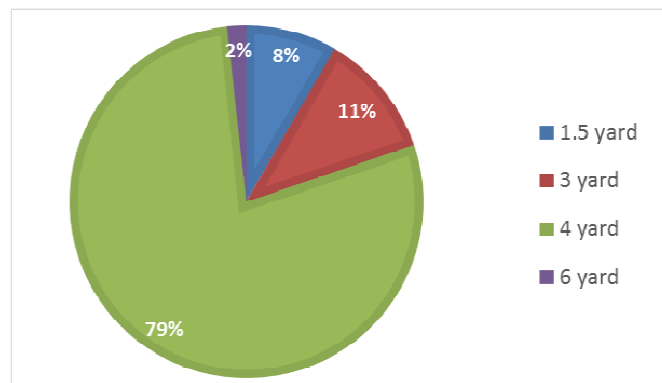
FY 2014-15 Residential Curbside Service



For residential automated service customers, the rates for service are different in the “Old Model Colony” (OMC) and the “Ontario Ranch” based on a differential cost of service. The difference in the cost of service is primarily driven by 1) greater collection times servicing stops; and 2) greater transportation distances. It takes approximately 20% longer to service a typical residential route in Ontario Ranch than it does in the OMC due to the increased housing densities as well as access. Also, the average distance of travel per day for the collection vehicles is approximately 30% greater than in the OMC. Together, these factors result in a higher cost of service (e.g., more collection vehicles, more personnel, fuel costs, etc.) for the Ontario Ranch when compared to the OMC.

Commercial bins: Commercial bin service includes collection of 1.5 cubic-yard, 3.0 cubic-yard, 4.0 cubic-yard, and 6.0 cubic-yard standard and compactor bins for refuse, organics, greenwaste, and co-mingled recycling. In FY 2014-15, the City serviced approximately 5,655 commercial bin customers and about seventy-nine percent (79%) of these were 4.0 cubic-yard bins.

Figure 2
FY 2014-15 Commercial Bin Service

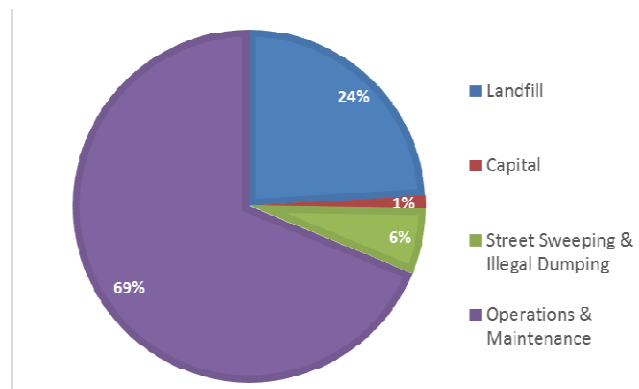


Roll-off bins: Roll-off service includes open-top and compactor service for refuse, single-commodity recycling, greenwaste, and inert material. In FY 2014-15, the City serviced approximately 12,795 roll-off loads.

The City continues to exceed the State mandated diversion rate for recyclable materials. To further encourage recycling, the City offers specific services and rates for co-mingled recycling and greenwaste collection services for automated service customers, organics, greenwaste and co-mingled recycling collection services for commercial bin customers, and single-commodity recycling, greenwaste, and inert collection services for roll-off customers.

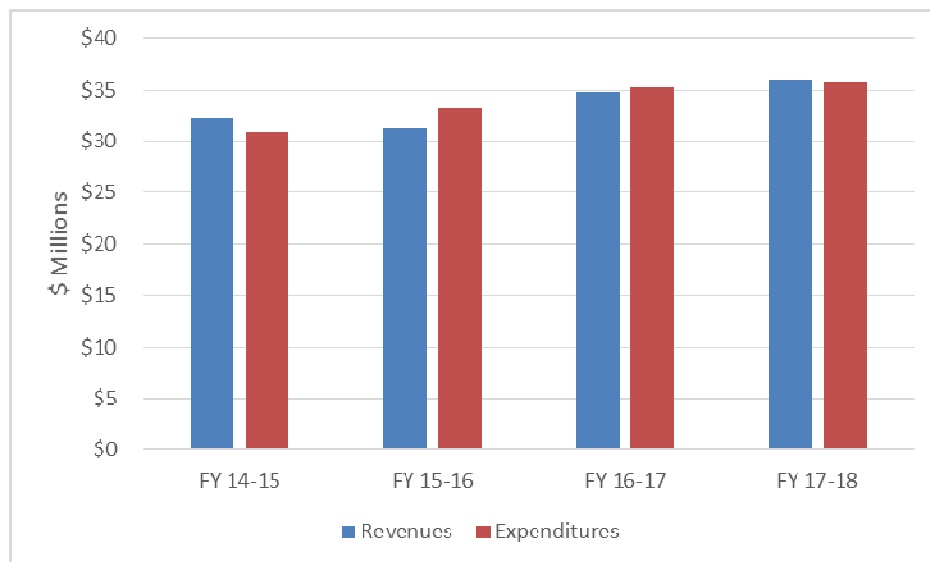
Solid waste expenses consist of landfill disposal costs including handling, transfer, and recycling services; operation and maintenance (O&M) expenses including general overhead costs related to supervision, utility billing and customer service, and cost allocations to the General Fund for City provided services; street sweeping and illegal dumping clean up services; and a capital improvement program, as illustrated by Figure 3.

Figure 3
FY 2014-15 Expenses - \$31 million



The City's current solid waste rates will not generate adequate revenue to cover the City's projected expenditures, as illustrated by Figure 4.

Figure 4



Since revenues generated by the existing solid waste service charges included in Table 1 are not adequate to cover the anticipated expenditures to provide solid waste services, staff recommends the following solid waste rates that the City should charge its customers in March 2016 and January 2017. Staff will continue to periodically review the financial plan to ensure continued financial stability.

Table 1
Current and Proposed Solid Waste Rates

Automated Refuse Container Collection Rates									
Old Model Colony	Gallons	First Refuse Container Set			Additional Refuse Containers				
		Current	3/4/2016	1/1/2017	Current	3/4/2016	1/1/2017		
	96	\$27.14	\$27.41	\$27.68	\$24.78	\$25.03	\$25.28		
	64	\$23.60	\$23.83	\$24.06	\$21.24	\$21.45	\$21.66		
Ontario Ranch	32	\$20.07	\$20.27	\$20.47	\$17.70	\$17.89	\$18.08		
	Gallons	First Refuse Container Set			Additional Refuse Containers				
		Current	3/4/2016	1/1/2017	Current	3/4/2016	1/1/2017		
	96	\$30.67	\$30.97	\$31.27	\$28.00	\$28.28	\$28.56		
	64	\$26.67	\$26.93	\$27.19	\$24.00	\$24.24	\$24.48		
	32	\$22.67	\$22.89	\$23.11	\$20.00	\$20.20	\$20.40		

Bin Monthly Rates (Refuse/Organics)									
Bin Size (Cubic Yards)	One Pickup/Week			Each Extra Pickup/Week			Saturday Service		
	Current	3/4/2016	1/1/2017	Current	3/4/2016	1/1/2017	Current	3/4/2016	1/1/2017
1.5	\$104.00	\$105.00	\$106.00	\$94.68	\$96.00	\$97.00	\$113.62	\$115.00	\$116.00
3	\$123.81	\$125.00	\$126.00	\$110.24	\$112.00	\$113.00	\$131.09	\$132.00	\$133.00
4	\$152.94	\$155.00	\$157.00	\$135.25	\$137.00	\$138.00	\$162.30	\$164.00	\$166.00
6	\$215.36	\$218.00	\$220.00	\$195.60	\$198.00	\$200.00	\$234.72	\$237.00	\$240.00

Bin Monthly Rates (Recycling/Green)									
Bin Size (Cubic Yards)	One Pickup/Week			Each Extra Pickup/Week			Saturday Service		
	Current	3/4/2016	1/1/2017	Current	3/4/2016	1/1/2017	Current	3/4/2016	1/1/2017
1.5	\$35.00	\$35.35	\$35.70	\$35.00	\$35.35	\$35.70	\$42.00	\$42.50	\$43.00
3	\$50.00	\$50.50	\$51.00	\$50.00	\$50.50	\$51.00	\$60.00	\$60.60	\$61.20
4	\$59.00	\$59.60	\$60.20	\$59.00	\$59.60	\$60.20	\$70.80	\$71.50	\$72.25
6	\$78.00	\$78.80	\$79.60	\$78.00	\$78.80	\$79.60	\$93.60	\$94.50	\$95.50

Roll Off Container Service Rates				
		Current	3/4/2016	1/1/2017
Refuse (Open Top or Compactor) Includes Disposal up to 5 tons		\$499.00	\$505.00	\$510.00
Recycling (Open Top or Compactor) Actual Disposal Costs Additional		\$154.00	\$156.00	\$158.00
Inert/Green/Wood (Open Top or Compactor) Actual Disposal Costs Additional		\$194.00	\$196.00	\$198.00

Compactor Bin Monthly Rates									
Bin Size (Cubic Yards)	One Pickup/Week			Each Extra Pickup/Week			Saturday Service		
	Current	3/4/2016	1/1/2017	Current	3/4/2016	1/1/2017	Current	3/4/2016	1/1/2017
1.5	\$175.83	\$177.00	\$179.00	\$175.83	\$177.00	\$179.00	\$211.00	\$213.00	\$215.00
2	\$198.72	\$201.00	\$203.00	\$198.72	\$201.00	\$203.00	\$238.47	\$241.00	\$244.00
3	\$244.49	\$247.00	\$249.00	\$244.49	\$247.00	\$249.00	\$293.39	\$296.00	\$299.00
4	\$291.31	\$294.00	\$297.00	\$291.31	\$294.00	\$297.00	\$349.58	\$353.00	\$357.00
6	\$383.91	\$388.00	\$392.00	\$383.91	\$388.00	\$392.00	\$460.70	\$466.00	\$471.00

SEWER ENTERPRISE

A review of the sewer service charges indicates that current and projected revenue estimates based on the current rates are not sufficient to cover the anticipated cost of providing sewer services. Therefore, staff recommends changes to sewer rates that the City should charge its customers in calendar years 2016 and 2017.

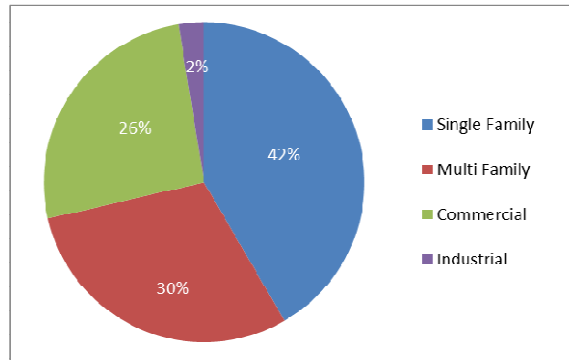
Sewer service charges are billed on a monthly basis. The rate structure for sewer service charges has three customer classifications – (1) single-family residential customers; (2) multi-family residential customers; and (2) non-residential, which includes commercial and industrial customers. The rate structure is comprised of two components: (1) a charge for capital replacement, operations and maintenance, billing, customer service, and other related costs (“City Charge”); and (2) a treatment charge for costs imposed on the City by Inland Empire Utilities Agency (IEUA) (“IEUA Charge”) that is passed through by the City to its sewer customers. The rates are calculated to proportionately allocate capital replacement, operations, maintenance, and treatment costs to each customer class.

For single-family and multi-family residential customers, the rates for the City Charge are determined on the basis of the number of residential units on the property. For non-residential customers, the rates for the City Charge have two components: (1) a variable equivalent dwelling unit (EDU) charge; and (2) a fixed unit charge. The EDU charge is determined on the basis of the amount of metered water delivered to the property and assumptions of the amount of water returned to the sewer (i.e., “flow”) based on the customer’s classification, and is designed to recover a portion of the utility’s costs of providing sewer service such as capital replacement, operations and maintenance, billing and customer service. The fixed unit charge is determined on the basis of the type of commercial activity where the service is provided and is designed to recover a portion of the utility’s cost of providing sewer service such as permitting, inspection and environmental regulatory costs.

The IEUA Charge for residential and non-residential is based on the number of EDUs. For residential customers, this charge is fixed at one (1) EDU of a single family residence, and seven tenths of one (0.7) EDU for a multi-family unit. For non-residential customers, the charge varies from month to month based on the number of EDUs as determined by sewer flow and water consumption.

As shown in Figure 5, together, single-family and multi-family customers are approximately 72 percent of the EDUs.

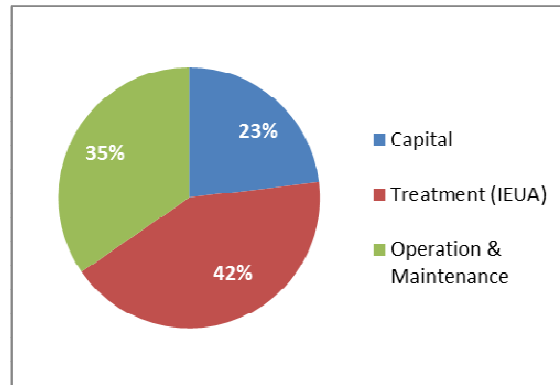
Figure 5
FY 2014-15 EDUs by Customer Class



The City sewer expenses consist of the cost of operation and maintenance (O&M) including sewer line cleaning, video inspection, repairs, and environmental programs. In accordance with the City's Sewer System Management Plan (SSMP), approximately 1.2 million linear feet of sewer collection pipelines are inspected and cleaned in order to prevent the buildup of debris, such as sand, silt, grease, roots and rocks that can significantly reduce the capacity of the pipes causing blockages and overflows. Environmental program responsibilities include issuance of industrial discharge permits, monitoring sewer discharge data, conducting compliance inspections of commercial grease interceptors as part of the City's "FOG" (Fats, Oils & Grease) program and inspections of permitted industrial facilities, as well as monitoring and reporting on sanitary sewer overflows (SSO). Other costs covered by the City charges for sewer services include general overhead costs related to supervision, utility billing and customer service, cost allocations to the General Fund for City provided services, and a capital improvement program, as shown in Figure 6.

The City's sewer system consists of more than 393 miles of sewer pipes along with 7,800 manholes and cleanouts, and the average age of pipelines throughout Ontario is about 45 years, with some sections still in use today that date back to the 1890's. The sewer master plan estimates the cost to replace the entire system today at more than \$325 million. Additionally, the master plan identifies more than \$100 million in capital improvement projects that are needed to correct existing system deficiencies where peak sewer flows are greater than the capacity of the pipelines. The overall age and condition of the sewer system creates a significant liability for the sewer fund. The capital improvement program is developed in order to prioritize projects within available funding, currently averaging about \$5 million per year, in order to address this liability on an annual basis.

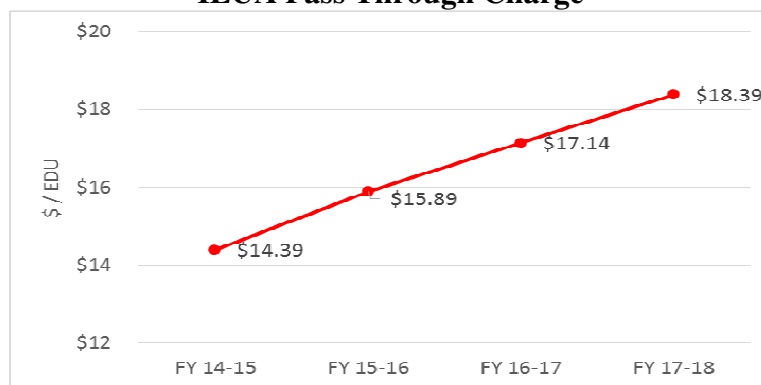
Figure 6
FY 2014-15 Expenses - \$21 million



The graph includes the cost of treatment provided by IEUA. The City pays IEUA to treat its sewer and these costs are passed on to City sewer customers through the IEUA Charge.

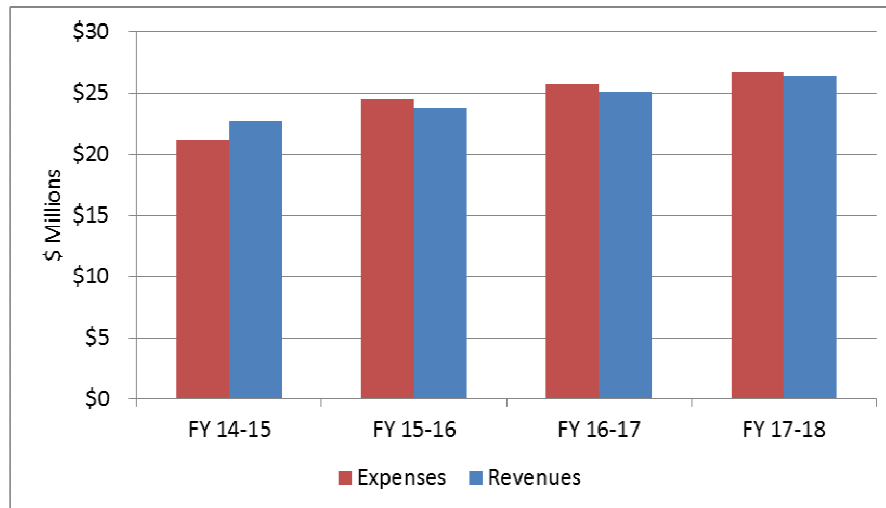
Based on IEUA projections, the current IEUA charge will not generate adequate revenues to cover the treatment cost. The IEUA Board has adopted increases to the IEUA Charge, from the current charge of \$15.89 per EDU to \$17.14 per EDU in 2016 and \$18.39 per EDU in 2017 (see Figure 7). If approved by the City Council, the proposed IEUA Charges may be imposed for the periods commencing on July 1, 2016 and July 1, 2017, respectively. Prior to implementing any IEUA Pass Through Adjustment that the IEUA Board may consider and adopt, the City will provide written notice of the rate increase not less than 30 days prior to its effective date.

Figure 7
IEUA Pass Through Charge



The City's current sewer rates will not provide adequate revenue to cover the City's costs for O&M and the capital improvement program, as illustrated by Figure 8.

Figure 8



As a result of the anticipated increases in the costs of providing sewer service, the City is proposing to increase the City Charges for sewer services in March 2016 and January 2017 and to pass through future IEUA Charges for treatment over the two-year period. The proposed rates for the sewer service charges are set forth below for the different customer classes are summarized in Table 2.

Table 2
Current and Proposed Sewer Rates

EDU Rates				Unit Rates			
Customer Class	Current	3/4/2016	1/1/2017	**Rates for Per Building Unit or Room Sewer Service Charges for Non-Residential Customers	Current	3/4/2016	1/1/2017
Single Family Residential (\$/Unit)	\$13.37	\$13.50	\$13.63	Hotel/Motel (\$/ Room)	\$8.38	\$8.45	\$8.55
Multiple Family Residential (\$/Unit)	\$12.84	\$12.97	\$13.10	Professional Offices (\$/ Building Unit)	\$13.16	\$13.30	\$13.45
Non-Residential per EDU * (\$/EDU)	\$13.37	\$13.50	\$13.63	Other Commercial (\$/Building Unit)	\$32.25	\$32.60	\$32.90
(*) EDU (Equivalent Dwelling Unit) is a term used to compare the flows from non-residential units in terms of flows generated by a single family residential unit. (**) Non-residential customers also pay a “per building unit” charge as shown in the table at right.				Categorical/Significant Industry (\$/ Permitted Unit (SIU))	\$120.62	\$121.80	\$123.00
				Class II Industry (\$/Permitted Unit)	\$120.62	\$121.80	\$123.00
				Other Industries (\$/Permitted Unit)	\$60.37	\$61.00	\$61.60

Based on the charges adopted and imposed on the City by IEUA, the current and proposed rates for IEUA Charges are set forth below:

CURRENT AND PROPOSED MONTHLY RATES FOR IEUA CHARGES

Monthly Rates	IEUA Pass Through Rates		
	Current	7/1/2016	7/1/2017
Volumetric Rate per EDU*	\$15.89	\$17.14	\$18.39
(*) EDU (Equivalent Dwelling Unit) is a term used to compare the flows from non-residential units in terms of flows generated by a single family residential unit. Multi-family is 0.7 EDU.			

WATER ENTERPRISE

A review of the water service charges indicates that current and projected revenue estimates based on the current rates are not sufficient to cover the anticipated cost of providing water services. Therefore, staff recommends changes to water rates that the City should charge its customers in calendar years 2016 and 2017.

Water service charges are billed on a monthly basis. The proposed water rate structure for water service charges has two customer classes – (1) residential, which includes single-family and multi-family customers; and (2) non-residential, which includes, commercial and industrial customers. The rate structure is comprised of two components: (1) a fixed monthly service charge (the “Readiness to Serve Charge”); and (2) a variable monthly water usage charge (the “Commodity Charge”). The Readiness to Serve Charge is a fixed charge established on the basis of the meter size of the property receiving water service from the City and is calculated to recover the City’s fixed costs of water facilities repairs and replacements as well as the cost of meter reading, billing and customer service. The Commodity Charge is calculated on the basis of the cost of providing water, including purchasing water, managing the City’s water resources, and deterring water waste and encouraging water use efficiency, and a portion of the utility’s fixed costs, and consists of two tiers which will impose higher rates per unit of water (one unit equals one hundred cubic feet or 748 gallons) as the level of consumption increases. The first tier cut-off is 15 hundred cubic feet (hcf) per month. Together, the two components are structured in such a way as to proportionately allocate capital replacement, operations and maintenance costs to each customer class, while managing the City’s water resources.

In addition to the general water service charge imposed on property owners, the City also imposes a monthly private fire service fee on certain properties. The private fire service fee is imposed only as a condition of extending or initiating water service by (i) the installation of a private fire hydrant, or (ii) upon the request of the consumer or property owner for the delivery of water to the property for the purpose of private fire service protection.

The City serves approximately 33,570 individual water customer accounts. Single family accounts make up the largest customer group with approximately 79 percent of the total accounts (see Figure 9). The average water usage for a single family residence is approximately 18 hcf per month (450 gallons per day), and single family residents accounted for about 35 percent of the total water consumed in the City (see Figure 10).

Figure 9

FY 2014-15 Meters by Customer Class

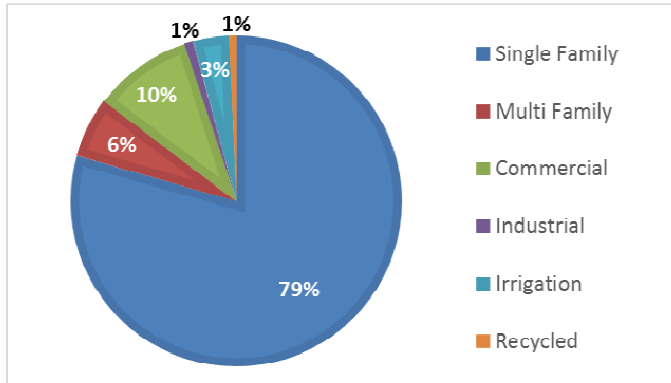
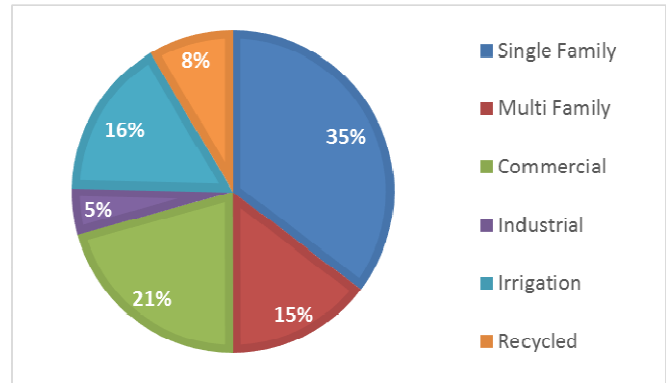


Figure 10

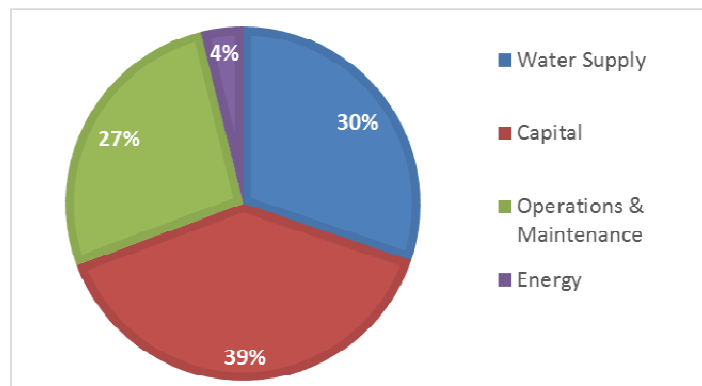
FY 2014-15 Usage by Customer Class



Water expenses consist of water supply costs including the cost to purchase imported water and supplemental water production rights, cost of energy for water production; other operation and maintenance (O&M) expenses including cost of system maintenance, general overhead costs related to supervision, utility billing and customer service, and cost allocations to the General Fund for City provided services; and a capital improvement program, as illustrated by Figure 11.

Figure 11

FY 2014-15 Expenses - \$59 million



The City's potable water supply includes imported water from Metropolitan Water District (MWD), groundwater pumped from its wells in the Chino Basin, and desalted water from the Chino Basin Desalter Authority (CDA) (see Figure 12). The Desalter expansion that is currently underway is anticipated to provide 3,533 acre feet (AF) of additional potable water per year. In addition to these potable water sources, the City uses recycled water for groundwater replenishment and for direct use in landscape irrigation and some industrial applications.

While an important part of Ontario's water supply, there is rapid escalation in the cost to purchase recycled water from IEUA, as illustrated by Figure 13. As a result, the cost to provide recycled water to Ontario's customers has increased.

Figure 12
FY 2014-15 Water Supply by Source

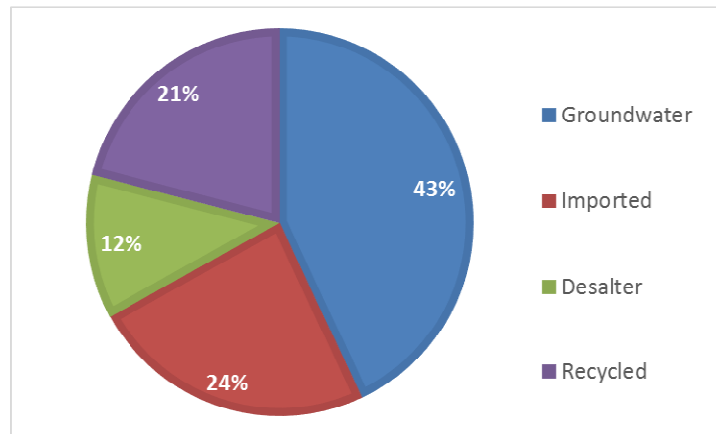
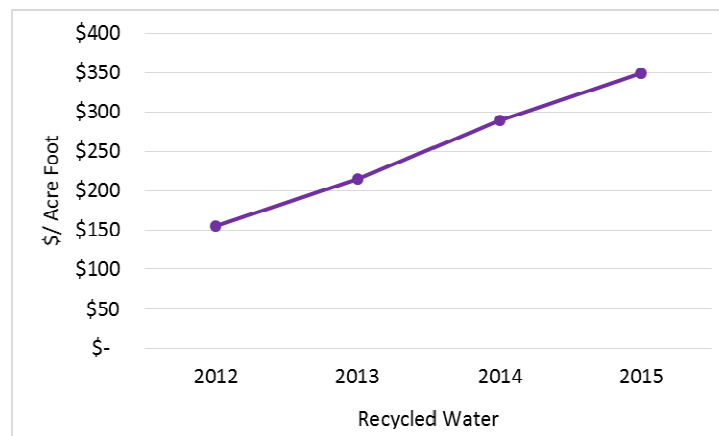


Figure 13
Recycled Water Cost (\$/AF)

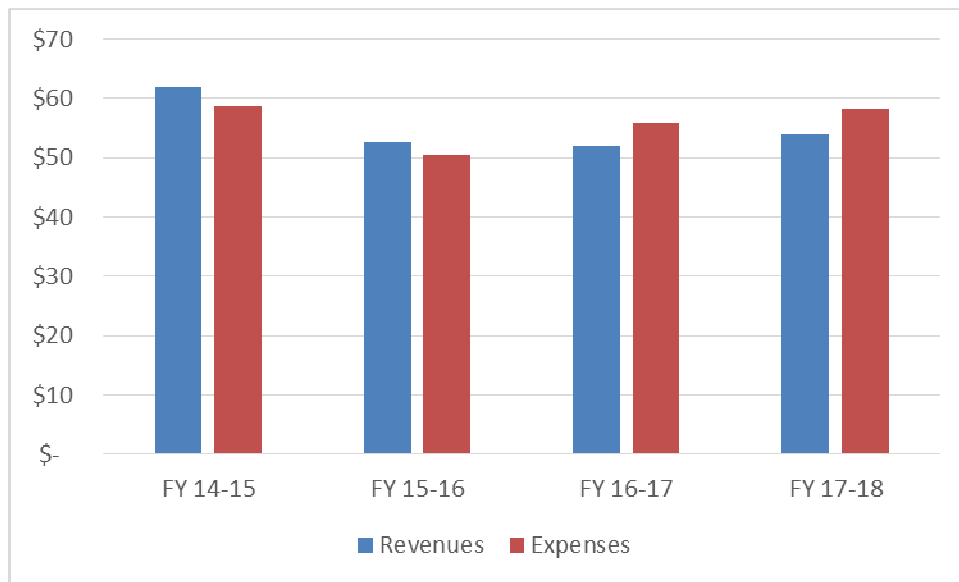


The water and recycled water master plans establish the basis and cost for new and replacement capital infrastructure required to maintain reliable water service for existing users and to expand the water systems for future users. The City maintains about 605 miles of main water pipelines, and the average age of the pipelines throughout Ontario is about 35 years, with about 115 miles (21%) of these being 50 years and older. The water system also consists of 24 active groundwater wells, 12 water reservoirs that store 75 million gallons of water, pressure reducing stations, booster stations, and water treatment facilities. The water master plan estimates the cost to replace the entire system today at more than \$700 million. Additionally, the master plans identify more than \$150 million in capital improvements that are needed to

correct existing deficiencies primarily related to meeting fire flow requirements. Planned infrastructure improvements include ongoing meter replacement, additional water storage capacity, replacement of aging water production wells (five out of the City's twenty-four active wells are more than 40 years old), additional water treatment, and projects that will provide site security and system reliability such as seismic retrofits for existing water facilities.

The City's projected expenditures will exceed the available resources under the existing rates, as illustrated by Figure 14.

Figure 14



The City has experienced and anticipates future increases in the costs to operate and maintain the water system and to provide ongoing water system repairs, replacements, and upgrades. As a result of the anticipated increases in the costs of providing water service, the City is proposing to increase the City Charges for water services over the two-year period, commencing March 2016 and January 2017. Included in the proposed rates are the cost of imported water from wholesale agencies and fees imposed by regulatory agencies. The proposed rates for water service charges for the different customer classes are summarized in Table 3 below:

Table 3
Current and Proposed Water Rates

Monthly Water Use (Potable)	Commodity Charge Rates \$/HCF (Hundred Cubic Feet = 748 gallons)		
	Current	3/4/2016	1/1/2017
0-15 HCF	\$2.34	\$2.39	\$2.44
More than 15 HCF	\$2.72	\$2.78	\$2.84

Monthly Water Use (Recycled)	Commodity Charge Rates \$/HCF (Hundred Cubic Feet = 748 gallons)		
	Current	3/4/2016	1/1/2017
Per HCF	\$1.56	\$1.63	\$1.71

				Readiness-to-Serve Charge Rates \$/Month						
Fire Service Charge Rates \$/Month					Potable Water Rates			Recycled Water Rates		
Pipe Size	Current	3/4/2016	1/1/2017	Meter Size	Current	3/4/2016	1/1/2017	Current	3/4/2016	1/1/2017
2"	\$12.10	\$12.40	\$12.70	5/8"	\$22.75	\$23.30	\$23.85	\$12.60	\$13.25	\$13.90
4"	\$24.65	\$25.25	\$25.85	3/4"	\$30.70	\$31.45	\$32.20	\$17.10	\$17.95	\$18.85
6"	\$49.05	\$50.25	\$51.45	1"	\$40.40	\$41.35	\$42.35	\$22.45	\$23.60	\$24.80
8"	\$69.35	\$71.00	\$72.70	1.5"	\$89.65	\$91.80	\$94.00	\$49.75	\$52.25	\$54.85
10"	\$94.05	\$96.30	\$98.60	2"	\$129.25	\$132.00	\$135.00	\$71.75	\$75.30	\$79.00
12"	\$183.60	\$188.00	\$193.00	3"	\$252.05	\$258.00	\$264.00	\$139.95	\$147.00	\$154.00
16"	\$365.55	\$374.00	\$383.00	4"	\$399.60	\$409.00	\$419.00	\$221.85	\$233.00	\$245.00
				6"	\$826.05	\$846.00	\$866.00	\$458.65	\$482.00	\$506.00
				8"	\$1,225.85	\$1,255.00	\$1,285.00	\$680.70	\$715.00	\$750.00
				10"	\$1,891.20	\$1,937.00	\$1,983.00	\$1,050.10	\$1,100.00	\$1,155.00

EXHIBIT B

(a) The rate schedule for potable and recycled water service charges within the City limits shall include a Readiness-to-Serve Charge and a Commodity Charge. All potable and recycled water furnished by the City for use within the City shall be subject to the following monthly rate schedule:

1. The rates for the monthly Readiness-to-Serve Charge per meter size for potable and recycled water shall be as follows:

Monthly Readiness-to-Serve Charge Rates (\$/Meter Size)						
Meter Size	Potable Water			Recycled Water		
	Current Rates in Effect	Rates Effective 3/4/2016	Rates Effective 1/1/2017	Current Rates in Effect	Rates Effective 3/4/2016	Rates Effective 1/1/2017
5/8"	22.75	23.30	23.85	12.60	13.25	13.90
3/4"	30.70	31.45	32.20	17.10	17.95	18.85
1"	40.40	41.35	42.35	22.45	23.60	24.80
1.5"	89.65	91.80	94.00	49.75	52.25	54.85
2"	129.25	132.00	135.00	71.75	75.30	79.00
3"	252.05	258.00	264.00	139.95	147.00	154.00
4"	399.60	409.00	419.00	221.85	233.00	245.00
6"	826.05	846.00	866.00	458.65	482.00	506.00
8"	1,225.85	1,255.00	1,285.00	680.70	715.00	750.00
10"	1,891.20	1,937.00	1,983.00	1,050.10	1,100.00	1,155.00

2. The rates for the monthly Commodity Charge per one hundred cubic feet (HCF) (1 HCF = 748 gallons) for potable water service shall be as follows:

Monthly Water Use (Potable)	Commodity Charge Rates (\$/HCF)		
	Current	3/4/2016	1/1/2017
0-15 HCF	2.34	2.39	2.44
More than 15 HCF	2.72	2.78	2.84

The rates for the monthly Commodity Charge per HCF for recycled water service shall be as follows:

Monthly Water Use (Recycled)	Commodity Charge Rates (\$/HCF)		
	Current*	3/4/2016	1/1/2017
Per HCF	1.56	1.63	1.71

(b) Private fire service rates. The monthly rates for private Fire Service Charges shall be as follows:

Monthly Fire Service Rates (\$/Pipe Size)			
Pipe Size	Current Rates in Effect	Rates in Effect 3/4/2016	Rates in Effect 1/1/2017
2"	12.10	12.40	12.70
4"	24.65	25.25	25.85
6"	49.05	50.25	51.45
8"	69.35	71.00	72.70
10"	94.05	96.30	98.60
12"	183.60	188.00	193.00
16"	365.55	374.00	383.00

(c) Miscellaneous one-time water fees. All miscellaneous one-time Water fees are imposed as a request for a specific service or product. The rates for the fees imposed for the following services and products are as follows:

Other Water Services and Products	Current Rates in Effect (\$/Service)	Rates in Effect 3/4/2016 (\$/Service)	Rates in Effect 1/1/2017 (\$/Service)
Restore Water Service (requested before 3:30 pm)	52.00	53.00	54.00
Restore Water Service (requested after 3:30 pm)	104.00	106.00	108.00
Broken Meter Lock	139.00	142.00	145.00
Install meter same day	260.00	265.00	270.00
Install meter next day	152.00	155.00	158.00
Meter tampering	649.00	662.00	675.00
Fire Hydrant Meter Deposit	2,435.00	2,485.00	2,535.00
Fire Hydrant Meter Moved without Notice	179.00	182.00	185.00
Bacteriological Test	44.00	43.00	44.00
Backflow Prevention per Device	5.10	5.20	5.30