

**CITY OF ONTARIO
CITY COUNCIL AND HOUSING AUTHORITY
AGENDA
OCTOBER 18, 2016**

Paul S. Leon
Mayor

Debra Dorst-Porada
Mayor pro Tem

Alan D. Wapner
Council Member

Jim W. Bowman
Council Member

Paul Vincent Avila
Council Member



Al C. Boling
City Manager

John E. Brown
City Attorney

Sheila Mautz
City Clerk

James R. Milhiser
Treasurer

WELCOME to a meeting of the Ontario City Council.

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

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

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

CALL TO ORDER (*OPEN SESSION*)

6:00 p.m.

ROLL CALL

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

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

CLOSED SESSION

- GC 54956.8, CONFERENCE WITH REAL PROPERTY NEGOTIATORS
Property: APN 1049-323-06, 1049-323-07, 1049-323-08, 1049-323-12, and 1049-323-13;
City/Authority Negotiator: Al C. Boling or his designee; Negotiating parties: Alex Espinosa; Under negotiation: Price and terms of payment.

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

PLEDGE OF ALLEGIANCE

Council Member Bowman

INVOCATION

Pastor Brian E. Kennedy, Mt. Zion Baptist Church

REPORT ON CLOSED SESSION

City Attorney

PUBLIC COMMENTS

6:30 p.m.

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

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

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

CONSENT CALENDAR

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

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

1. APPROVAL OF MINUTES

Minutes for the regular meeting of the City Council and Housing Authority of September 20, 2016, approving same as on file in the Records Management Department.

2. BILLS/PAYROLL

Bills September 4, 2016 through September 17, 2016 and **Payroll** September 4, 2016 through September 17, 2016, when audited by the Finance Committee.

3. A RESOLUTION APPROVING AN IMPROVEMENT AGREEMENT, IMPROVEMENT SECURITY AND FINAL TRACT MAP NO. 18267 LOCATED AT THE NORTHEAST CORNER OF ARCHIBALD AVENUE AND MERRILL AVENUE

That the City Council adopt a resolution approving an improvement agreement, improvement security and Final Tract Map No. 18267 located at the northeast corner of Archibald Avenue and Merrill Avenue within the Subarea 29 Specific Plan area.

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING AN IMPROVEMENT AGREEMENT, IMPROVEMENT SECURITY AND FINAL TRACT MAP NO. 18267, LOCATED AT THE NORTHEAST CORNER OF ARCHIBALD AVENUE AND MERRILL AVENUE.

4. ADOPT A RESOLUTION CALLING A PUBLIC HEARING TO CONSIDER FORMATION OF UNDERGROUND UTILITY DISTRICT NO. 19 ON HOLT BOULEVARD BETWEEN BENSON AVENUE AND SAN ANTONIO AVENUE

That the City Council adopt a resolution calling a public hearing to consider formation of Underground Utility District No. 19 on Holt Boulevard between Benson Avenue and San Antonio Avenue.

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, CALLING FOR A PUBLIC HEARING TO CONSIDER FORMATION OF UNDERGROUND UTILITY DISTRICT NO. 19 ON HOLT BOULEVARD BETWEEN BENSON AVENUE TO SAN ANTONIO AVENUE.

5. RESOLUTION TO APPROVE THE SALARY RANGES FOR APPOINTIVE POSITIONS OF THE CITY MANAGER, FIRE CHIEF AND POLICE CHIEF

That the City Council adopt a resolution to approve base salary ranges for the City Manager, Fire Chief and Police Chief positions in recognition of the expansion of responsibilities and liability in providing public safety services to the Ontario International Airport Authority; and in accordance with Government Code Section 36506 the City Council fix the compensation of appointive positions by resolution.

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, TO APPROVE THE SALARY RANGES FOR APPOINTIVE POSITIONS OF CITY MANAGER, FIRE CHIEF AND POLICE CHIEF.

6. RESOLUTION APPROVING THE FILING OF AN APPLICATION FOR GRANT FUNDS THROUGH THE STATE DEPARTMENT OF PARKS AND RECREATION

That the City Council adopt a resolution approving the filing of an application for \$1,000,000 of grant funds through the State Department of Parks and Recreation for the Youth Soccer and Recreation Development Program under the California Clean Water, Clean Air, Safe Neighborhood Parks, and Coastal Protection Act of 2002 (Proposition 40) for the De Anza Park Soccer Field Rehabilitation Project.

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING THE APPLICATION FOR YOUTH SOCCER AND RECREATION DEVELOPMENT PROGRAM GRANT FUNDS.

7. *PROCUREMENT OF COMMUNICATION CONSOLES AS PART OF POLICE HEADQUARTERS RENOVATION PROJECT/RUSS BASSETT CORPORATION*

That the City Council authorize the procurement of nine fully outfitted communication consoles from Russ Bassett Corporation, of Whittier, California, in the amount of \$214,691 consistent with the terms and conditions of Department General Services (DGS) Contract 4-08-71-0077C.

8. *REJECTION OF BIDS RECEIVED FOR THE WELL FACILITY BACKUP POWER UPGRADES AT WELL NOS. 24, 25, 30, 35 & 36 PROJECT*

That the City Council reject all bids received to date in connection with the Well Facility Backup Power Upgrades at Well Nos. 24, 25, 30, 35 & 36 Project.

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.

9. *AN ORDINANCE TO PROVIDE AN EXPEDITED, STREAMLINED PERMITTING PROCESS FOR ELECTRIC VEHICLE CHARGING STATIONS*

That the City Council introduce and waive further reading of an ordinance adding a new Chapter 9 to Title 8 of the Ontario Municipal Code entitled Electric Vehicle Charging Stations.

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

Written communication.

Oral presentation.

Public hearing closed.

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, ADDING A NEW CHAPTER 9 TO TITLE 8 OF THE ONTARIO MUNICIPAL CODE TO PROVIDE AN EXPEDITED, STREAMLINED PERMITTING PROCESS FOR ELECTRIC VEHICLE CHARGING STATIONS.

STAFF MATTERS

City Manager Boling

COUNCIL MATTERS

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

ADJOURNMENT

CITY OF ONTARIO
CLOSED SESSION REPORT
City Council // Housing Authority // Other // (GC 54957.1)
October 18, 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 1049-323-06, 1049-323-07, 1049-323-08, 1049-323-12, and 1049-323-13; City/Authority Negotiator: Al C. Boling or his designee; Negotiating parties: Alex Espinosa; Under negotiation: Price and terms of payment.

No Reportable Action	Continue	Approved
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/ /

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Disposition: _____

Reported by:

City Attorney / City Manager / Executive Director

CITY OF ONTARIO

Agenda Report
October 18, 2016

SECTION: CONSENT CALENDAR

SUBJECT: A RESOLUTION APPROVING AN IMPROVEMENT AGREEMENT, IMPROVEMENT SECURITY AND FINAL TRACT MAP NO. 18267 LOCATED AT THE NORTHEAST CORNER OF ARCHIBALD AVENUE AND MERRILL AVENUE

RECOMMENDATION: That the City Council adopt a resolution approving an improvement agreement, improvement security and Final Tract Map No. 18267 located at the northeast corner of Archibald Avenue and Merrill Avenue within the Subarea 29 Specific Plan area.

COUNCIL GOALS: Regain Local Control of the Ontario International Airport

Invest in the Growth and Evolution of the City's Economy

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

Ensure the Development of a Well Planned, Balanced, and Self-Sustaining Community in the New Model Colony

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

BACKGROUND: Final Tract Map No. 18267, consisting of sixty-eight (68) residential lots and seven (7) lettered lots on 10.11 acres as shown on the attached Exhibit A, has been submitted by the developer Tri Pointe Homes, Inc. of Irvine California (Mr. Thomas J. Mitchell, President and CEO).

Tentative Tract Map No. 18267 was approved by the Planning Commission on July 28, 2015 and is consistent with the adopted Subarea 29 Specific Plan.

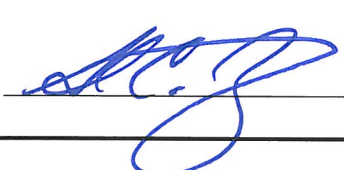
Improvements will include AC pavement, curb, gutter, sidewalk, landscaped parkways, neighborhood edges, fiber optic conduits, fire hydrants, sewer, water, recycled water mains, storm drain, and street lights. The improvement in parkway landscaping will be consistent with current City approved drought measures. The developer has entered into an improvement agreement with the City for Final Tract Map No. 18267 and has posted adequate security to ensure construction of the required public improvements.

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

Prepared by: Manoj Hariya, PE

Department: Engineering

City Manager

Approval: 

Submitted to Council/O.H.A. 10/18/2016

Approved: _____

Continued to: _____

Denied: _____

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

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING AN IMPROVEMENT AGREEMENT, IMPROVEMENT SECURITY AND FINAL TRACT MAP NO. 18267, LOCATED AT THE NORTHEAST CORNER OF ARCHIBALD AVENUE AND MERRILL AVENUE.

WHEREAS, Tentative Tract Map No. 18267, submitted for approval by the developer, Tri Pointe Homes, Inc., of Irvine, California (Mr. Thomas J. Mitchell, President and CEO) was approved by the Planning Commission of the City of Ontario on July 28, 2015; and

WHEREAS, Tentative Tract Map No. 18267 consists of sixty-eight (68) numbered lots and seven (7) lettered lots, being a subdivision of lot 1 of Tract 18913-2, as per map recorded in book 345, pages 14 through 18, inclusive, of maps, in the Office of the Recorder of San Bernardino County; and

WHEREAS, to meet the requirements established as prerequisite to final approval of Final Tract Map No. 18267, said developer has offered an improvement agreement, together with good and sufficient security, in conformance with the City Attorney's approved format, for approval and execution by the City; and

WHEREAS, the subdivider of the underlying Tract No. 18913-2, has previously prepared and recorded Covenants, Conditions and Restrictions (CC&Rs), and they have been reviewed and approved by the City Attorney's office, to ensure the right to mutual ingress and egress and continued maintenance of common facilities by the commonly affected property owners.

WHEREAS, Final Tract Map No. 18267 shall be conditionally approved pursuant to the submitted pro forma subdivision guarantee.

WHEREAS, Final Tract Map No. 18267 and the associated Improvement Agreement shall be executed upon delivery of the final subdivision guarantee listing the owner and beneficiary as Tri Pointe Homes, Inc., of Irvine, California.

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

1. That said Improvement Agreement be, and the same is, approved and the City Manager is authorized to execute same on behalf of said City, and the City Clerk is authorized to attest thereto; and
2. That said Improvement Security is accepted as good and sufficient, subject to approval as to form and content thereof by the City Attorney; and

3. That Final Tract Map No. 18267, be approved and that the City Clerk be authorized to execute the statement thereon on behalf of said City.

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

PASSED, APPROVED, AND ADOPTED this 18th day of October 2016.

PAUL S. LEON, MAYOR

ATTEST:

SHEILA MAUTZ, CITY CLERK

APPROVED AS TO LEGAL FORM:

BEST BEST & KRIEGER LLP
CITY ATTORNEY

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

I, SHEILA MAUTZ, City Clerk of the City of Ontario, DO HEREBY CERTIFY that foregoing Resolution No. 2016- was duly passed and adopted by the City Council of the City of Ontario at their regular meeting held October 18, 2016 by the following roll call vote, to wit:

AYES: COUNCIL MEMBERS:

NOES: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

SHEILA MAUTZ, CITY CLERK

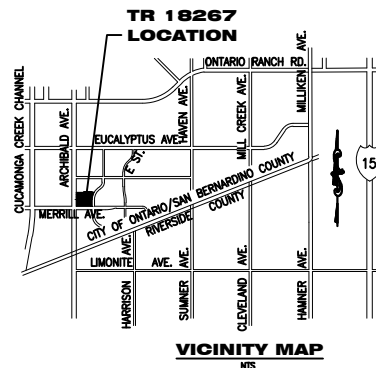
(SEAL)

The foregoing is the original of Resolution No. 2016- duly passed and adopted by the Ontario City Council at their regular meeting held October 18, 2016.

SHEILA MAUTZ, CITY CLERK

(SEAL)

EXHIBIT A



CITY OF ONTARIO
ENGINEERING DEPARTMENT
FILE NO. TR. 18267

APPLICANT:
TRIPOINTE HOMES, INC.
PROJECT: 68 SFR LOTS,
7 LETTERED LOTS

CITY OF ONTARIO

Agenda Report

October 18, 2016

SECTION: CONSENT CALENDAR

SUBJECT: ADOPT A RESOLUTION CALLING A PUBLIC HEARING TO CONSIDER FORMATION OF UNDERGROUND UTILITY DISTRICT NO. 19 ON HOLT BOULEVARD BETWEEN BENSON AVENUE AND SAN ANTONIO AVENUE

RECOMMENDATION: That the City Council adopt a resolution calling a public hearing to consider formation of Underground Utility District No. 19 on Holt Boulevard between Benson Avenue and San Antonio Avenue.

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

FISCAL IMPACT: The segment of the above mentioned underground utility district between Mountain Avenue and San Antonio Avenue will be funded by Rule 20A funds. Rule 20A funds are collected and held by Southern California Edison (SCE) and distributed to city projects on an apportionment basis. This portion of the project will have no impact to the City's General Fund.

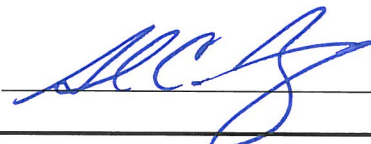
The segment of the underground utility district between Benson Avenue and Mountain Avenue will qualify under Rule 20B, in which SCE requires the City to fund the difference between an equivalent new overhead system and the new proposed underground system. This portion of the project will be funded primarily from in-lieu fees the City has been collecting for undergrounding. There will be an impact of approximately \$200,000 to the General Fund for the remaining cost of the project. Appropriation requests will be included in the respective fiscal year's budget, as the project construction progresses. As future in-lieu fees are collected, reimbursement to the General Fund is planned.

BACKGROUND: Each year Southern California Edison (SCE) is required by Rule 20A of the Public Utilities Commission to budget funds for replacing overhead electric facilities with underground facilities along public streets and roads. This undergrounding work, performed and paid for by SCE, is restricted to streets with heavy volumes of vehicles or pedestrians, streets in civic or public recreation areas, streets with unusual scenic interest, or areas of an unusually heavy concentration of overhead

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

Prepared by: Tricia Espinoza
Department: Engineering

City Manager
Approval: _____



Submitted to Council/O.H.A. 10/18/2016

Approved: _____

Continued to: _____

Denied: _____

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facilities. These funds are apportioned to the various cities based on the ratio of overhead meters within the city to the total overhead meters in the system. Currently, the City receives an allocation of \$268,151 per year and has a Rule 20A fund allocation balance of \$1,113,000. The City can also leverage three future years of income to use towards the project. The preliminary estimate for undergrounding between Mountain Avenue and San Antonio Avenue is \$1,900,000.

Under SCE's Rule 20B, the City will be responsible for funding the cost of design and construction of the undergrounding between Benson Avenue and Mountain Avenue. However, the City will receive a credit from SCE for the cost of an equivalent new overhead system, estimated at \$300,000, to use towards the proposed underground system. The City will utilize in-lieu fees collected for citywide undergrounding, of approximately \$1,900,000. The preliminary estimate for undergrounding between Benson Avenue and Mountain Avenue is \$2,400,000. Construction on both segments of the undergrounding project is anticipated to start FY 18/19.

Total SCE Rule 20B Project Estimate =	\$2,400,000.00
City In-Lieu Fee Balance =	- \$1,900,000.00
<u>SCE Credit for Overhead =</u>	<u>- \$ 300,000.00</u>
Additional City Funding Needed (FY 18/19) =	\$ 200,000.00

On January 6, 2009, the City Council adopted Resolution 2009-004 prioritizing undergrounding utility projects to include the proposed Underground Utility District No. 19. Underground Utility District No. 17 on Mountain Avenue from Brooks Street to "G" Street and Underground Utility District No. 18 on Milliken Avenue from 600 feet north of Guasti Road to Airport Drive have been completed.

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, CALLING FOR A PUBLIC HEARING TO CONSIDER FORMATION OF UNDERGROUND UTILITY DISTRICT NO. 19 ON HOLT BOULEVARD BETWEEN BENSON AVENUE TO SAN ANTONIO AVENUE.

WHEREAS, Ontario Municipal Code Section 7-5.03 establishes a procedure for the creation of Underground Utility Districts and requires as the initial step in such procedure of the holding of a public hearing to ascertain whether public necessity, health, safety or welfare requires the removal of poles, overhead wires and associated overhead structures, and the underground installation of wires and facilities for supply electric, communication or similar service in any such district; and

WHEREAS, it is recommended that an Underground Utility District be formed on Holt Boulevard between Benson Avenue and San Antonio Avenue (Underground Utility District No. 19); and

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

1. Notice is hereby given that a public hearing will be held by the City Council of the City of Ontario, California, on November 15, 2016, at the hour of 6:30 p.m. in the City Council Chambers of City Hall, Ontario, California, to ascertain whether the public necessity, health, safety of welfare requires the removal of poles, overhead wires and associated overhead structures, and the underground installation of wires and facilities for supplying electric, communication or similar associated service, excluding electric transmission facilities in the District herein above described; and

2. At such public hearing, all persons interested shall be given an opportunity to be heard. Said public hearing may be continued from time to time as may be determined by the City Council; and

3. The City Clerk shall notify all affected property owners, as shown on the last equalized rolls and utilities of the time and place of such public hearing by mailing a copy of this resolution to such property owners and utilities at least ten days prior to the date thereof; and

4. The area proposed to be included in the District is shown on that certain exhibit entitled "Underground Utility District No.19", which is on file in the office of the City Clerk of the City of Ontario, California.

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

PASSED, APPROVED, AND ADOPTED this 18th day of October 2016.

PAUL S. LEON, MAYOR

ATTEST:

SHEILA MAUTZ, CITY CLERK

APPROVED AS TO LEGAL FORM:

BEST BEST & KRIEGER LLP
CITY ATTORNEY

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

I, SHEILA MAUTZ, City Clerk of the City of Ontario, DO HEREBY CERTIFY that foregoing Resolution No. 2016- was duly passed and adopted by the City Council of the City of Ontario at their regular meeting held October 18, 2016 by the following roll call vote, to wit:

AYES: COUNCIL MEMBERS:

NOES: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

SHEILA MAUTZ, CITY CLERK

(SEAL)

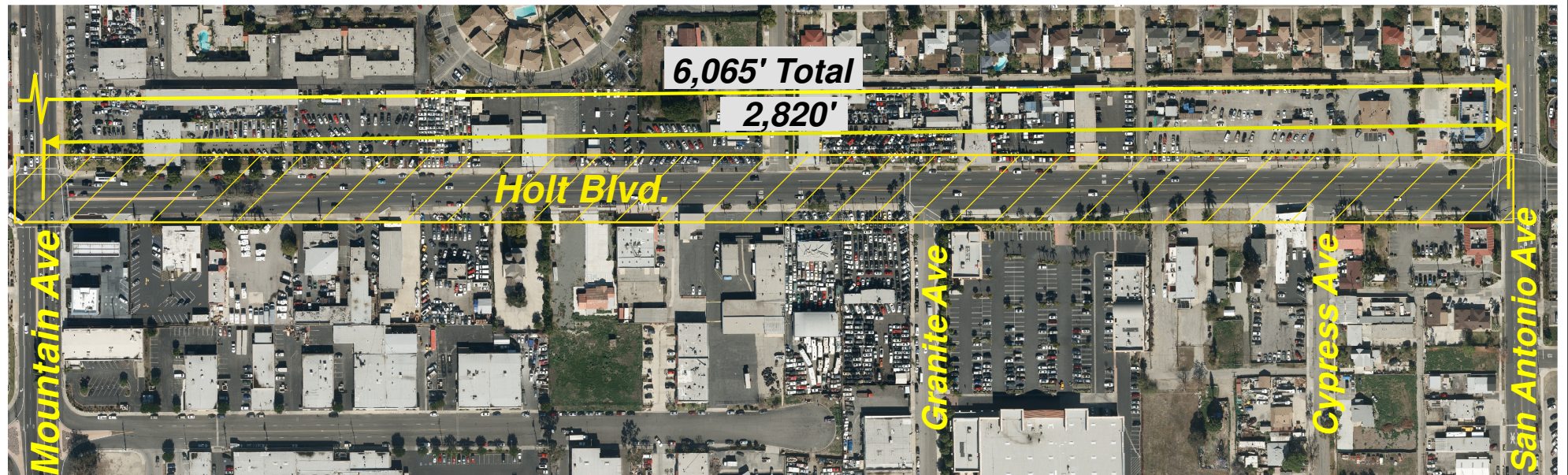
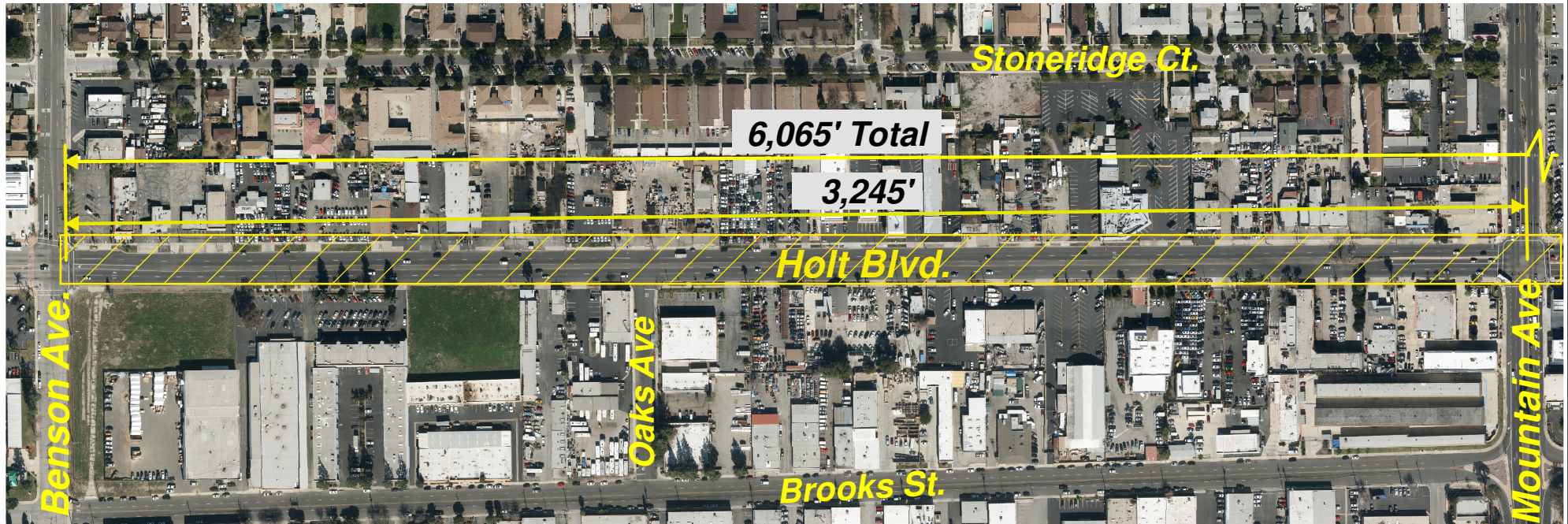
The foregoing is the original of Resolution No. 2016- duly passed and adopted by the Ontario City Council at their regular meeting held October 18, 2016.

SHEILA MAUTZ, CITY CLERK

(SEAL)

Underground Utility District No. 19
Holt Boulevard between Benson Avenue and San Antonio Avenue

PAGE 1-1



Legend:
 Project Area



CITY OF ONTARIO

Agenda Report
October 18, 2016

SECTION:
CONSENT CALENDAR

SUBJECT: A RESOLUTION TO APPROVE THE SALARY RANGES FOR APPOINTIVE POSITIONS OF THE CITY MANAGER, FIRE CHIEF AND POLICE CHIEF

RECOMMENDATION: That the City Council adopt a resolution to approve base salary ranges for the City Manager, Fire Chief and Police Chief positions in recognition of the expansion of responsibilities and liability in providing public safety services to the Ontario International Airport Authority; and in accordance with Government Code Section 36506 the City Council fix the compensation of appointive positions by resolution.

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: The estimated budgetary impact is \$58,000 for Fiscal Year 2016-17 to the General Fund; and future years' appropriations will be included in the respective years' proposed budgets for City Council approval.

BACKGROUND: Ownership and operations of the Ontario International Airport is being transferred from Los Angeles World Airports (LAWA) to the Ontario International Airport Authority (OIAA). LAWA will turn over responsibility for public safety services to OIAA on November 1, 2016. OIAA has engaged the City of Ontario to provide Fire and Police staffing for public safety services on a 24/7 basis.

In recognition of the additional responsibility and requirements to meet FAA and TSA regulations for public safety services, this adjustment will provide parity with other agencies who have similar public safety responsibilities and liability. Staff benchmarked comparable executive public safety positions; and the City of Ontario was below that of the City of Anaheim, City of Burbank, City of Riverside and City of Santa Ana. In recognition of the substantial expansion of responsibilities and liability, staff recommends a 9.75% adjustment to the appointed positions of City Manager, Fire Chief and Police Chief effective October 30, 2016 to coincide with the November 1, 2016 transfer date in which public safety services for OIAA will be handled by the City. This action does not affect the eligibility or applicability of other

STAFF MEMBER PRESENTING: Al C. Boling, City Manager

Prepared by: Angela C. Lopez
Department: Human Resources

City Manager
Approval: 

Submitted to Council/O.H.A. 10/18/2016

Approved: _____

Continued to: _____

Denied: _____

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compensation and benefits adjustments previously approved by the City Council for employees in the Executive Management positions and that are contained in the Executive Management Compensation and Benefits Profile which was approved on July 7, 2015.

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO,
CALIFORNIA, TO APPROVE THE SALARY RANGES FOR APPOINTIVE
POSITIONS OF CITY MANAGER, FIRE CHIEF AND POLICE CHIEF.

WHEREAS, the Municipal Code of the City of Ontario, California (the "City") provides at Sections 2-3.204 and 2-3.305, respectively, that the positions of Fire Chief and Police Chief shall be appointed by the City Manager; and

WHEREAS, California Government Code Section 36506 requires the City Council to fix the compensation of appointive officers; and

WHEREAS, the City Manager has recommended that the City's base salary ranges for the positions of Fire Chief and Police Chief reflect the expansion of responsibilities in providing Public Safety Services to the Ontario International Airport Authority within the guidelines set forth by the Federal Aviation Administration (FAA) and in order to allow the City to attract and retain highly qualified individuals; and

WHEREAS, the City Manager and the City entered into an Employment Agreement by which the City agreed to employ Mr. Al C. Boling as its City Manager effective December 29, 2013; and

WHEREAS, under the terms of the Employment Agreement, the City Manager would receive those salary adjustments and benefits as set forth in the Executive Management Compensation and Benefits Profile; and other terms and conditions as described in the Employment Agreement; and

WHEREAS, the Municipal Code of the City of Ontario, California provides at Section 2-3.103 that the City Council fix the City Manager's salary by resolution and Government Code Section 36506 requires the City Council to fix the compensation of appointive officers; and

WHEREAS, the base salary adjustment for the City Manager shall reflect the same base salary adjustment afforded to the Fire Chief and Police Chief as a result of the expansion of responsibility in providing oversight to the Public Safety Services; and

NOW THEREFORE, be it resolved, determined and ordered by the City Council of the City of Ontario that the base salary range for the position of City Manager is fixed at \$26,309.27 per month, Fire Chief at \$14,891.47 to \$19,953.57 per month, and Police Chief at \$15,386.07 to \$20,617.49 per month effective and October 31, 2016; and the base salary range for the position of City Manager is fixed at \$27,098.55, Fire Chief at \$15,338.21 to \$20,552.18 per month and Police Chief is fixed at \$15,847.65 to \$21,236.01 per month effective January 8, 2017; and

NOW THEREFORE, be it resolved, by the City Council of the City of Ontario the hereby amends the salary range for the position of City Manager, Fire Chief and Police Chief as reflected in Exhibit "A" attached hereto.

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

PASSED, APPROVED, AND ADOPTED this 18th day of OCTOBER 2016.

PAUL S. LEON, MAYOR

ATTEST:

SHEILA MAUTZ, CITY CLERK

APPROVED AS TO LEGAL FORM:

BEST BEST & KRIEGER LLP
CITY ATTORNEY

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

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SHEILA MAUTZ, CITY CLERK

(SEAL)

The foregoing is the original of Resolution No. 2016- duly passed and adopted by the City Council of the City of Ontario at their regular meeting held on October 18, 2016.

SHEILA MAUTZ, CITY CLERK

(SEAL)

Exhibit "A" - Salary Range Table

		Approximate Salaries	
Classification		October 30, 2016 Monthly Rate	January 8, 2017 Monthly Rate
City Manager		\$26,309.27	\$27,098.55
Fire Chief	Min	\$14,891.47	\$15,338.21
	Max	\$19,953.57	\$20,552.18
Police Chief	Min	\$15,386.07	\$15,847.65
	Max	\$20,617.49	\$21,236.01

CITY OF ONTARIO

Agenda Report

October 18, 2016

SECTION: CONSENT CALENDAR

SUBJECT: RESOLUTION APPROVING THE FILING OF AN APPLICATION FOR GRANT FUNDS THROUGH THE STATE DEPARTMENT OF PARKS AND RECREATION

RECOMMENDATION: That the City Council adopt a resolution approving the filing of an application for \$1,000,000 of grant funds through the State Department of Parks and Recreation for the Youth Soccer and Recreation Development Program under the California Clean Water, Clean Air, Safe Neighborhood Parks, and Coastal Protection Act of 2002 (Proposition 40) for the De Anza Park Soccer Field Rehabilitation Project.

COUNCIL GOALS: Regain Local Control of the Ontario International Airport
Invest in the City's Infrastructure (Water, Streets, Sewers, Parks, Storm Drains and Public Facilities)
Encourage, Provide or Support Enhanced Recreational, Educational, Cultural and Healthy City Programs, Policies and Activities.

FISCAL IMPACT: The California Clean Water, Clean Air, Safe Neighborhood Parks, and Coastal Protection Act of 2002 (Proposition 40) through the State Department of Parks and Recreation authorized the Youth Soccer and Recreation Development Program to award grants on a competitive basis with potential grant request amounts up to, but not more than, \$1,000,000. The project recommended in the grant application is the De Anza Park Soccer Field Rehabilitation with a request for grant funds of \$1,000,000. Matching funds are not required, but the State of California Department of Parks and Recreation Office of Grants and Local Services will assign a higher priority to applicants that include a commitment for matching funds for non-construction costs.

BACKGROUND: The intent of the Youth Soccer and Recreation Development Program is to finance the new installation or renovation of soccer, baseball, softball or basketball venues that foster the development of new recreational opportunities in neighborhoods with significant unmet needs. In addition to the program developing new opportunities an emphasis on water conservation measures must be achieved within the project. The De Anza Park Soccer Field Rehabilitation project is consistent with the grant program criteria and will create a new soccer field area with updated amenities that will

STAFF MEMBER PRESENTING: Mark Chase, Community and Public Services Director

Prepared by: Robert Perez
Department: Parks and Maintenance

City Manager
Approval: _____



Submitted to Council/O.H.A. 10/18/2016

Approved: _____

Continued to: _____

Denied: _____

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promote new and increase current recreational opportunities in underserved neighborhoods. The recommended resolution of the City Council is a mandatory requirement of the State Department of Parks and Recreation grant application process.

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO,
CALIFORNIA, APPROVING THE APPLICATION FOR YOUTH SOCCER
AND RECREATION DEVELOPMENT PROGRAM GRANT FUNDS.

WHEREAS, the State Department of Parks and Recreation has been delegated the responsibility by the Legislature of the State of California for the administration of the Youth Soccer and Recreation Development Program, setting up necessary procedures governing the application; and

WHEREAS, said procedures established by the State Department of Parks and Recreation require the Applicant to certify by resolution the approval of application before submission of said application to the State; and

WHEREAS, successful applicants will enter into a contract with the State of California to complete the Grant Scope project.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Ontario hereby Approves the filing of an application for the De Anza Soccer Field Rehabilitation project, and

1. Certifies that said applicant has or will have available, prior to commencement of any work on the project included in this application, the sufficient funds to complete the project; and

2. Certifies that if the project is awarded the Applicant has or will have the sufficient funds to operate and maintain the project, and

3. Certifies that the Applicant has reviewed, understands, and agrees to the General Provisions contained in the contract shown in the Grant Administration Guide; and

4. Delegates the authority to the City Manager to conduct all negotiations, sign and submit all documents, including, but not limited to, applications, agreements, amendments, payment requests, which may be necessary for the completion of the Grant Scope; and

5. Agrees to comply with all applicable federal, state and local laws, ordinances, rules, regulations and guidelines.

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

PASSED, APPROVED, AND ADOPTED this 18th day of October 2016.

PAUL S. LEON, MAYOR

ATTEST:

SHEILA MAUTZ, CITY CLERK

APPROVED AS TO LEGAL FORM:

BEST BEST & KRIEGER LLP
CITY ATTORNEY

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

I, SHEILA MAUTZ, City Clerk of the City of Ontario, DO HEREBY CERTIFY that foregoing Resolution No. 2016- was duly passed and adopted by the City Council of the City of Ontario at their regular meeting held October 18, 2016 by the following roll call vote, to wit:

AYES: COUNCIL MEMBERS:

NOES: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

SHEILA MAUTZ, CITY CLERK

(SEAL)

The foregoing is the original of Resolution No. 2016- duly passed and adopted by the Ontario City Council at their regular meeting held October 18, 2016.

SHEILA MAUTZ, CITY CLERK

(SEAL)

CITY OF ONTARIO

Agenda Report
October 18, 2016

**SECTION:
CONSENT CALENDAR**

SUBJECT: PROCUREMENT OF COMMUNICATION CONSOLES AS PART OF POLICE HEADQUARTERS RENOVATION PROJECT

RECOMMENDATION: That the City Council authorize the procurement of nine fully outfitted communication consoles from Russ Bassett Corporation, of Whittier, California, in the amount of \$214,691 consistent with the terms and conditions of Department General Services (DGS) Contract 4-08-71-0077C.

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

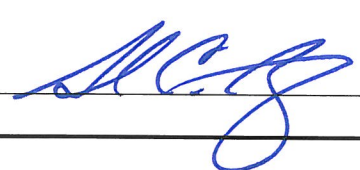
FISCAL IMPACT: The current fiscal year budget includes appropriations for the Police Headquarters Renovation Project including this contract in the amount of \$214,691 for the purchase of new communication consoles for the dispatch center.

BACKGROUND: As part of the Police Headquarters Renovation Project, the existing consoles in the communications center will be replaced. The existing consoles were installed over 10 years ago and have reached their useful life expectancy. The consoles are no longer supported by the vendor, and the City's Information Technology staff provides support by scavenging parts from retired fire communication consoles.

In general conformance with the provisions of Government Code Section 54201 through 54204 and Ontario Municipal Code, Section 2-6.11 (b)(3), allows for the purchase of supplies and equipment through cooperative purchasing with another governmental agency. Cooperative purchasing allows the City to pool its procurement power with other public agencies to obtain pricing lower than might otherwise be possible. DGS Cooperative Contract 4-08-71-0077C meets the provisions of the Government Code. This contract provides for the purchase and warranty of furniture products.

STAFF MEMBER PRESENTING: Brad Kaylor, Chief of Police

Prepared by: Christine Booker
Department: Police

City Manager
Approval: 

Submitted to Council/O.H.A. 10/18/2016
Approved: _____
Continued to: _____
Denied: _____

CITY OF ONTARIO

Agenda Report
October 18, 2016

**SECTION:
CONSENT CALENDAR**

**SUBJECT: REJECTION OF BIDS RECEIVED FOR THE WELL FACILITY BACKUP
POWER UPGRADES AT WELL NOS. 24, 25, 30, 35 & 36 PROJECT**

RECOMMENDATION: That the City Council reject all bids received to date in connection with the Well Facility Backup Power Upgrades at Well Nos. 24, 25, 30, 35 & 36 Project.

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

FISCAL IMPACT: None.

BACKGROUND: The City requested bids for this project; and on July 28, 2016 three bids were received. The responding bidders were ACS Engineering, Inc., Global Power Group, Inc., and Layne Christensen Company.

After reviewing all bid responses, staff determined that it is in the best interest of the City to reject all bids in accordance with Ontario Municipal Code Title 2, Chapter 6, Section 2-6.13(g), and bid the project again. The three bidders were notified via certified mail of staff's recommendation to the City Council as well as the date of this City Council meeting.

STAFF MEMBER PRESENTING: Scott Burton, Utilities General Manager

Prepared by: Katie Gienger
Department: MU/Engineering

City Manager
Approval: 

Submitted to Council/O.H.A. 10/18/2016

Approved: _____

Continued to: _____

Denied: _____

CITY OF ONTARIO

Agenda Report

October 18, 2016

SECTION: PUBLIC HEARINGS

SUBJECT: AN ORDINANCE TO PROVIDE AN EXPEDITED, STREAMLINED PERMITTING PROCESS FOR ELECTRIC VEHICLE CHARGING STATIONS

RECOMMENDATION: That the City Council introduce and waive further reading of an ordinance adding a new Chapter 9 to Title 8 of the Ontario Municipal Code entitled Electric Vehicle Charging Stations.

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

FISCAL IMPACT: None. The nominal cost to implement the new expedited permitting process will be recovered through existing permit fees.

BACKGROUND: Assembly Bill 1236 (AB 1236), which amended the California Electric Vehicle Charging Stations Open Access Act, requires that on or before September 30, 2017 every city with a population of less than 200,000 residents and on or before September 2016, cities with a population of more than 200,000 residents must adopt an ordinance that creates an expedited, streamlined permitting process for electric vehicle charging stations. The purpose of the law is to further the State policy of promoting and encouraging the installation and use of electric vehicle charging stations and to limit obstacles to their use.

To assist the public, the Building Department created an easy to follow permit checklist and has been expediting the permitting process for vehicle charging stations since early 2016, prior to the requirements of AB 1236. The goal is to process residential permits within 3 days and commercial permits within 10 days. During the last 6 months, the City has approved 3 residential permits within 2 business days and has processed 2 commercial plan submittals with an average turnaround time of 4 business days.

STAFF MEMBER PRESENTING: Kevin Shear, Building Official

Prepared by: Pedro Rico
Department: Building

City Manager
Approval: 

Submitted to Council/O.H.A. 10/18/2016

Approved: _____

Continued to: _____

Denied: _____

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The proposed ordinance establishes the need for a checklist of all requirements with which electric vehicle charging stations shall comply to be eligible for expedited review. Pursuant to AB 1236, the City may refer to the recommendations contained in the most current version of the "Plug-In Electric Vehicle Infrastructure Permitting Checklist" of the "Zero-Emission Vehicles in California: Community Readiness Guidebook" published by the Governor's Office of Planning and Research. AB 1236 further requires that applications meeting all of the checklist requirements shall be approved administratively by City staff pursuant to a non-discretionary permit.

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, ADDING A NEW CHAPTER 9 TO TITLE 8 OF THE ONTARIO MUNICIPAL CODE TO PROVIDE AN EXPEDITED, STREAMLINED PERMITTING PROCESS FOR ELECTRIC VEHICLE CHARGING STATIONS.

WHEREAS, the City Council of the City of Ontario seeks to implement Assembly Bill 1236 (Chapter 598, Statutes 2015) through the creation of an expedited, streamlined permitting process for electric vehicle charging stations; and

WHEREAS, the City Council wishes to encourage the installation of electric vehicle charging stations by all of its residents and businesses; and

WHEREAS, it is in the interest of the health, safety, and welfare of the residents and businesses of the City to provide an expedited permitting process for electric vehicle charging stations to assure the effective deployment of electric vehicle charging stations technology, in accordance with the requirements of Assembly Bill 1236.

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

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

SECTION 2. Chapter 9 is added to Title 8 of the City of Ontario Municipal Code to read in its entirety as follows:

“CHAPTER 9. ELECTRIC VEHICLE CHARGING STATIONS”

- 8-9.01 Applicability and Purpose
- 8-9.02 Electric Vehicle Charging Stations Requirements
- 8-9.03 Duties of the Building Department
- 8-9.04 Expedited Permit Review and Inspection Requirements

Sec. 8-9.01 Applicability and Purpose.

This Chapter applies to the permitting of all electric vehicle charging stations in the City. Electric vehicle charging stations legally established or permitted prior to the effective date of this chapter are not subject to the requirements of this chapter unless physical modifications or alterations are undertaken that materially change the size, type, or components of the electric vehicle charging station in such a way as to require new permitting. Routine operation and maintenance or like-kind replacements shall not require a permit.

Sec. 8-9.02 Electric Vehicle Charging Stations Requirements.

- (a) “Electric vehicle charging station” or “charging station” means all of the following:
 - (1) Any level of electric vehicle supply equipment station;
 - (2) Is designed and built in compliance with Article 625 of the California Electrical Code;
 - (3) Delivers electricity from a source outside an electric vehicle into a plug-in electric vehicle;
 - (4) Conforms to all applicable state fire, structural, electrical, and other building codes as adopted or amended by the City, and all state and City health and safety standards;
- (b) An electric vehicle charging station shall meet all applicable safety and performance standards established by the California Electrical Code, the Society of Automotive Engineers, the National Electrical Manufacturers Association, and accredited testing laboratories such as Underwriters Laboratories and, where applicable, rules of the Public Utilities Commission regarding safety and reliability.

Sec. 8-9.03 Duties of the Building Department.

- (a) A checklist and required permitting documentation of all requirements with which electric vehicle charging stations shall comply to be eligible for expedited review and all documents required for the submission of an expedited electric vehicle charging stations shall be published on the City’s publicly accessible Internet Web site.
- (b) Electronic submittal of the required permit application and documents via email, or facsimile shall be made available to all electric vehicle charging stations permit applicants. Web site applications may be allowed at such time in the future that the technology is made available by the City.
- (c) An applicant’s electronic signature shall be accepted on all forms, applications, and other documents in lieu of a wet signature.
- (d) The Building Department shall adopt a checklist and required permitting documentation of all requirements with which electric vehicle charging stations shall comply to be eligible for expedited review.
- (e) The checklist and required permitting documentation of all requirements with which electric vehicle charging stations may refer to the recommendations contained in the most current version of the “Plug-In Electric Vehicle Infrastructure Permitting Checklist” of the “Zero-Emission Vehicles in California: Community Readiness Guidebook” published by the Governor’s Office of Planning and Research.

Sec. 8-9.04 Expedited Permit Review and Inspection Requirements.

- (a) The Building Department shall adopt an administrative, nondiscretionary review process to expedite the approval of electric vehicle charging stations applications within thirty (30) days of the adoption of this chapter.
- (b) An application for electric vehicle charging stations that meets the requirements of the checklist and required permitting documentation of all requirements shall be deemed complete, and the Building Department shall issue a building permit or other non-discretionary permit at expedited rate.
- (c) Review of the application shall be limited to the Building Department's review of whether the applicant meets local, state and federal health and safety requirements.
- (d) If an application for electric vehicle charging station is deemed incomplete, a written correction notice detailing all deficiencies in the application and any additional information or documentation required to be eligible for expedited permitting shall be provided to the applicant for resubmission.
- (e) Inspections shall be required and performed by the Building Department for electric vehicle charging stations.
- (f) The inspection shall be done in an efficient inspection process, in a timely manner, and should include consolidated inspections; inspection measures taken should be consistent with safety requirements to ensure that the electric vehicle charging stations are properly installed.
- (g) If electric vehicle charging station fails inspection, a subsequent inspection is authorized but need not conform to the requirements of this chapter."

SECTION 3. CEQA. This Ordinance does not commit the City to any action that may have a significant effect on the environment. As a result, such action does not constitute a project subject to the requirements of the California Environmental Quality Act.

SECTION 4. Severability. If any provision, clause, sentence or paragraph of this Ordinance or the application thereof to any person or circumstances shall be held invalid, such invalidity shall not affect the other provisions of this Ordinance, which can be given effect without the invalid provision or application and, to this end, the provisions of this Ordinance are hereby declared to be severable. This Ordinance amends, adds to and deletes (as applicable) sections of the Ontario Municipal Code.

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

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

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

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

PAUL S. LEON, MAYOR

ATTEST:

SHEILA MAUTZ, CITY CLERK

APPROVED AS TO FORM:

BEST BEST & KRIEGER LLP
CITY ATTORNEY

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

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

AYES: COUNCIL MEMBERS:

NOES: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

SHEILA MAUTZ, CITY CLERK

(SEAL)

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

SHEILA MAUTZ, CITY CLERK

(SEAL)