

CITY OF ONTARIO
CITY COUNCIL AND HOUSING AUTHORITY
AGENDA
NOVEMBER 15, 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 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*)

6:30 p.m.

ROLL CALL

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

PLEDGE OF ALLEGIANCE

Mayor pro Tem Dorst-Porada

INVOCATION

Pastor Brian E. Kennedy, Mt Zion Baptist Church

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 October 18, 2016, approving same as on file in the Records Management Department.

2. BILLS/PAYROLL

Bills October 2, 2016 through October 15, 2016 and **Payroll** October 2, 2016 through October 15, 2016, when audited by the Finance Committee.

3. 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.

4. AMENDMENT TO THE PROFESSIONAL SERVICES AGREEMENT FOR CONSTRUCTION ENGINEERING SUPPORT SERVICES FOR THE FRANCIS STREET STORM DRAIN/DANKEN

That the City Council approve an amendment to the Professional Services Agreement (on file in the Records Management Department) with Danken Construction Engineering Group of Ontario, California, for additional engineering construction support services for the Francis Street Storm Drain Project, in the amount of \$83,317 for a revised contract of \$183,175; and authorize the City Manager to execute said amendment and related documents.

5. AMENDMENT TO THE PROFESSIONAL SERVICES AGREEMENT FOR CONSTRUCTION MATERIALS TESTING AND GEOTECHNICAL SERVICES FOR THE SIXTH STREET STORM DRAIN PROJECT/KLEINFELDER, INC.

That the City Council approve an amendment to the Professional Services Agreement (on file in the Records Management Department) with Kleinfelder, Inc. of Ontario, California, for additional construction materials testing and geotechnical services for the Sixth Street Storm Drain Project, in the amount of \$79,895 for a revised contract amount of \$170,385; and authorize the City Manager to execute said amendment and related documents.

6. A RESOLUTION AUTHORIZING THE PERMANENT CLOSURE AND VACATION OF THE AT-GRADE UNION PACIFIC RAILROAD COMPANY CROSSINGS AT NORTH VINEYARD AVENUE AND SOUTH MILLIKEN AVENUE

That the City Council adopt a resolution authorizing the permanent closure and vacation of the at-grade Union Pacific Railroad Company (UPRR) crossings at North Vineyard Avenue and the Alhambra Subdivision Line (DOT No. 764-960M) and at South Milliken Avenue and the Los Angeles Subdivision Line (DOT No. 810-913D).

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, AUTHORIZING THE PERMANENT CLOSURE OF THE AT-GRADE UNION PACIFIC RAILROAD COMPANY CROSSINGS AT NORTH VINEYARD AVENUE (DOT NO. 764-960M) AND SOUTH MILLIKEN AVENUE (DOT NO. 810-913D).

7. A RESOLUTION AUTHORIZING THE CITY MANAGER TO GRANT A DEDICATION OF EASEMENT TO SOUTHERN CALIFORNIA EDISON WITHIN WESTWIND PARK FOR PUBLIC UTILITY PURPOSES

That the City Council adopt a resolution authorizing the City Manager to grant a dedication of easement to Southern California Edison (SCE) within Westwind Park located on the north side of Riverside Drive east of the Cucamonga Creek Channel for public utility purposes.

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, AUTHORIZING THE CITY MANAGER TO GRANT A DEDICATION OF EASEMENT TO SOUTHERN CALIFORNIA EDISON WITHIN WESTWIND PARK FOR PUBLIC UTILITY PURPOSES

8. A RESOLUTION APPROVING FINAL PARCEL MAP NO. 19732 LOCATED AT 3350 AND 3380 EAST SHELBY STREET

That the City Council adopt a resolution approving Final Parcel Map No. 19732 located at 3350 and 3380 East Shelby Street.

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
ONTARIO, CALIFORNIA, APPROVING FINAL PARCEL MAP
NO. 19732 LOCATED AT 3350 AND 3380 EAST SHELBY STREET.

**9. ORDINANCES TO ADOPT THE 2015 INTERNATIONAL FIRE CODE, AND 2016 CALIFORNIA
STATE FIRE AND BUILDING CODES**

That the City Council:

- (A) Adopt an ordinance amending Chapter 4, Title 4 of the Ontario Municipal Code entitled “Fire Code” adopting by reference, with certain amendments, additions, deletions, and exceptions, the 2015 International Fire Code and the 2016 California Fire Code (California Code of Regulations, Title 24, Part 9); and
- (B) Adopt an ordinance amending Chapters 1, 2, 3, 4, 5, 6, 7, 11 and 12 of Title 8 of the Ontario Municipal Code to adopt the California Building Standards Code.

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF
ONTARIO, CALIFORNIA, AMENDING CHAPTER 4 OF TITLE 4 OF
THE ONTARIO MUNICIPAL CODE; ADOPTING BY REFERENCE
WITH CERTAIN AMENDMENTS, ADDITIONS, DELETIONS, AND
CHANGES THERETO, THE 2016 CALIFORNIA FIRE CODE AND
THE 2015 INTERNATIONAL FIRE CODE, PROVIDING FOR THE
RECOVERY OF COSTS AND COLLECTION OF FEES; AND
REPEALING ORDINANCE NO. 2976 OF THE CITY COUNCIL OF
THE CITY OF ONTARIO, CALIFORNIA.

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF
ONTARIO, CALIFORNIA, AMENDING CHAPTERS 1, 2, 3, 4, 5, 6, 7,
11, AND 12 OF TITLE 8 OF THE ONTARIO MUNICIPAL CODE,
ADOPTING BY REFERENCE THE 2016 EDITION OF THE
CALIFORNIA BUILDING STANDARDS CODE, INCORPORATING
THE 2016 CALIFORNIA BUILDING CODE, THE 2016 CALIFORNIA
MECHANICAL CODE, THE 2016 CALIFORNIA ELECTRICAL CODE,
THE 2016 CALIFORNIA RESIDENTIAL CODE, THE 2016
CALIFORNIA PLUMBING CODE, THE 2016 CALIFORNIA GREEN
BUILDING STANDARDS CODE, THE 1997 EDITION OF THE
UNIFORM HOUSING CODE, AND THE 1997 EDITION OF THE
UNIFORM CODE FOR THE ABATEMENT OF DANGEROUS
BUILDINGS; TOGETHER WITH CERTAIN AMENDMENTS
THERETO.

10. FISCAL YEAR 2016-17 FIRST BUDGET UPDATE REPORT

That the City Council approve the budget adjustments and recommendations as listed in the Fiscal Year 2016-17 First Budget Update Report.

11. AN AGREEMENT FOR PREPARATION OF AN ENVIRONMENTAL IMPACT REPORT FOR THE COLONY COMMERCE CENTER EAST SPECIFIC PLAN/EPD SOLUTIONS, INC.

That the City Council approve and authorize the City Manager to execute an agreement (on file with the Records Management Department) with EPD Solutions, Inc., of Irvine, California, to prepare an Environmental Impact Report (EIR) for the Colony Commerce Center East Specific Plan, related to 95 acres of land located north of the San Bernardino/Riverside County line, south of Merrill Avenue, east of Cucamonga Creek Flood Control Channel, and west of Archibald Avenue, in the amount not to exceed \$311,892 (includes 15% contingency); and authorize the City Manager to approve any future budget adjustments necessary to complete the EIR.

12. UPDATE OF THE CITYWIDE RECORDS RETENTION SCHEDULE

That the City Council adopt a resolution approving revisions and updates to the Citywide Records Retention Schedule.

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
ONTARIO, CALIFORNIA, MAKING REVISIONS AND UPDATING
CITY RECORDS RETENTION SCHEDULES AND AMENDING
RESOLUTION NOS. 2010-048 AND 2011-070.

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.

13. A PUBLIC HEARING TO CONSIDER ADOPTION OF A RESOLUTION TO ESTABLISH UNDERGROUND UTILITY DISTRICT NO. 19 ON HOLT BOULEVARD BETWEEN BENSON AVENUE AND SAN ANTONIO AVENUE

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

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, TO ESTABLISH UNDERGROUND UTILITY DISTRICT NO. 19 ON HOLT BOULEVARD BETWEEN BENSON AVENUE TO SAN ANTONIO AVENUE.

14. A PUBLIC HEARING TO CONSIDER A DEVELOPMENT CODE AMENDMENT, FILE NO. PDCA16-005, A REQUEST TO ADD REFERENCE I, PUBLIC ART PROGRAM, TO THE CITY OF ONTARIO DEVELOPMENT CODE TO PROMOTE PUBLIC ART AND ART IN PUBLIC PLACES

That the City Council introduce and waive further reading of an ordinance approving File No. PDCA16-005, a Development Code Amendment proposing the addition of Reference I, Public Art Program, to the City of Ontario Development Code.

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, APPROVING FILE NO. PDCA16-005, A REQUEST TO ADD REFERENCE I, PUBLIC ART PROGRAM, TO THE CITY OF ONTARIO DEVELOPMENT CODE TO PROMOTE PUBLIC ART AND ART IN PUBLIC PLACES, AND MAKING FINDINGS IN SUPPORT THEREOF.

15. A PUBLIC HEARING TO CONSIDER FILE NOS. PHP16-013 AND PHP16-015, HISTORIC PROPERTY PRESERVATION AGREEMENTS FOR TWO DESIGNATED HISTORIC PROPERTIES

That the City Council adopt resolutions approving and authorizing the City Manager to enter into Historic Property Preservation Agreements (Mills Act contracts) for the following properties:

- (A) File No. PHP16-013, 224 East Princeton Street (APN: 1047-541-12); submitted by Walter & Wendi Hafner
- (B) File No. PHP16-015, 403 East Rosewood Court (APN: 1048-063-17); submitted by Kelly Strayer & Robert Miller

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. PHP16-013, AND AUTHORIZING THE CITY OF ONTARIO TO ENTER INTO A HISTORIC PROPERTY PRESERVATION AGREEMENT WITH WALTER AND WENDI HAFNER FOR THE PROPERTY LOCATED AT 224 EAST PRINCETON STREET (APN: 1047-541-12).

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING FILE NO. PHP16-015, AND AUTHORIZING THE CITY OF ONTARIO TO ENTER INTO A HISTORIC PROPERTY PRESERVATION AGREEMENT WITH KELLY STRAYER AND ROBERT MILLER FOR THE PROPERTY LOCATED AT 403 EAST ROSEWOOD COURT (APN: 1048-063-17).

16. CONSIDERATION OF A SPENDING PLAN FOR CITIZEN'S OPTION FOR PUBLIC SAFETY / ENHANCING LAW ENFORCEMENT ACTIVITIES SUBACCOUNT GRANT PROGRAM

That the City Council receive public comment for the Fiscal Year 2016-17 Citizen's Option for Public Safety (COPS) / Enhancing Law Enforcement Activities Subaccount (ELEAS) Grant; and approve the proposed spending plan.

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

Written communication.

Oral presentation.

Public hearing closed.

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

Agenda Report
November 15, 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 the recovery of \$26,286 in costs that the City has expended for inspection or abatement of property violations as well as the collection of \$16,560 associated with civil penalties and/or fines for continued violations, for a total of \$42,846 to 62 parcels. When received, reimbursement of \$36,428 will be made to the General Fund and \$6,418 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 3046, 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

Submitted to Council/O.H.A. 11/15/2016

Approved: _____

Continued to: _____

Denied: _____

City Manager
Approval: 

3

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 224 parcels. Of this, there are remaining amounts due on 62 parcels. Attached are itemized accounts 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 2017 for its 2017-2018 tax rolls.

All affected property owners were given notice of the imposition of the special assessments 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. 3046, 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 15th day of November 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, MARY E. WIRTES, 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 November 15, 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 November 15, 2016.

SHEILA MAUTZ, CITY CLERK

(SEAL)

City of Ontario
Code Enforcement Department
2017/2018 Tax Roll Year Special Assessments
Exhibit A

Parcel Number	Address	Amount Due
1049-353-09	521 E MAITLAND ST, Ontario, CA 91761	46.05
0108-491-04	1703 E DEODAR ST, Ontario, CA 91764	46.05
0216-172-14	13158 S WALKER AV, Ontario, CA 91761	46.05
0216-172-12	8406 E CHINO AV, Ontario, CA 91761	46.05
1048-534-15	225 N CAMPUS AV, Ontario, CA 91764	46.05
0108-541-19	1646 E YALE ST, Ontario, CA 91764	25.00
1049-353-09	521 E MAITLAND ST, Ontario, CA 91761	2,011.53
0108-491-04	1703 E DEODAR ST, Ontario, CA 91764	324.20
0216-172-14	13158 S WALKER AV, Ontario, CA 91761	1,069.75
0216-172-12	8406 E CHINO AV, Ontario, CA 91761	1,069.75
1050-241-08	1723 S SULTANA AV, Ontario, CA 91761	19,892.00
1048-534-15	225 N CAMPUS AV, Ontario, CA 91764	203.84
1008-571-03	1537 W PRINCETON ST, Ontario, CA 91762	48.70
1010-131-16	1265 W ROSEWOOD CT, Ontario, CA 91762	50.51
1010-522-07	1131 W STONERIDGE CT, Unit:1, Ontario, CA 91762	170.50
1048-191-58	724 N ALLYN AV, Unit:A, Ontario, CA 91764	52.46
1048-394-09	640 E E ST, Ontario, CA 91764	52.46
0108-363-13	1530 E HIGHLAND CT, Ontario, CA 91764	52.46
1010-522-07	1131 W STONERIDGE CT, Unit:1, Ontario, CA 91762	170.50
0108-541-19	1646 E YALE ST, Ontario, CA 91764	42.00
1049-131-03	914 E HOLT BL, Ontario, CA 91761	110.00
1049-271-15	419 S VINE AV, Ontario, CA 91762	110.00
1050-461-03	1813 S BON VIEW AV, Ontario, CA 91761	50.00
1049-362-03	736 E CALIFORNIA ST, Ontario, CA 91761	50.00
1049-502-04	618 E MAITLAND ST, Ontario, CA 91761	50.00
0110-061-01	1375 E HOLT BL, Ontario, CA 91761	50.00
1049-131-04	918 E HOLT BL, Ontario, CA 91761	50.00
1049-194-12	1058 E STATE ST, Ontario, CA 91761	50.00
1050-461-03	1813 S BON VIEW AV, Ontario, CA 91761	50.00
1050-461-05	916 E FRANCIS ST, Ontario, CA 91761	50.00
1051-171-41	2424 S GROVE AV, Ontario, CA 91761	50.00
1051-221-16	125 W GEYER CT, Ontario, CA 91762	50.00
1083-071-19	0 S ARCHIBALD AV, Ontario, CA 91761	50.00
1083-071-20	0 S ARCHIBALD AV, Ontario, CA 91761	50.00

Total 26,285.91

City of Ontario
Code Enforcement Department
2017/2018 Tax Roll Year Special Assessments
Exhibit B

Parcel Number	Address	Amount Due
0108-381-09	1206 N GROVE AV, Ontario, CA 91764	170.00
0110-061-01	1375 E HOLT BL, Ontario, CA 91761	500.00
0110-513-19	751 N BAKER AV, Ontario, CA 91764	170.00
0113-551-17	2809 E DORAL CT, Ontario, CA 91761	760.00
0113-601-14	1635 E CEDAR ST, Building:1, Ontario, CA 91761	170.00
0113-641-05	2133 S GREEN PRIVADO, Ontario, CA 91761	520.00
0210-041-64	1453 N SAN DIEGO PL, Ontario, CA 91764	340.00
0216-331-63	1626 E BERMUDA DUNES ST, Ontario, CA 91761	120.00
0218-741-35	3510 S ARCADIAN SHORES AV, Ontario, CA 91761	120.00
0218-771-49	3722 S MUSTANG DR, Ontario, CA 91761	640.00
1010-192-08	948 W H ST, Ontario, CA 91762	220.00
1010-522-15	115 N MOUNTAIN AV, Ontario, CA 91762	120.00
1011-421-17	1317 W RALSTON ST, Ontario, CA 91762	170.00
1011-531-13	1114 S MAGNOLIA AV, Ontario, CA 91762	520.00
1015-101-43	2222 S OAKS AV, Ontario, CA 91762	170.00
1047-241-09	1524 N EUCLID AV, Ontario, CA 91764	120.00
1047-372-07	604 E BONNIE BRAE CT, Ontario, CA 91764	120.00
1048-093-26	627 E J ST, Ontario, CA 91764	520.00
1048-412-08	734 E F ST, Ontario, CA 91764	340.00
1048-566-05	317 N EUCLID AV, Building:1, Unit:A, Ontario, CA 91762	170.00
1049-111-05	810 E MAIN ST, Building:2, Ontario, CA 91761	170.00
1049-131-04	918 E HOLT BL, Ontario, CA 91761	500.00
1049-194-12	1058 E STATE ST, Ontario, CA 91761	500.00
1049-221-09	543 E NEVADA ST, Ontario, CA 91761	170.00
1049-221-27	532 E SUNKIST ST, Ontario, CA 91761	840.00
1049-232-17	546 E PARK ST, Ontario, CA 91761	120.00
1049-502-04	618 E MAITLAND ST, Ontario, CA 91761	500.00
1050-013-21	628 W SONOMA CT, Ontario, CA 91762	520.00
1050-061-14	125 W ELM ST, Ontario, CA 91762	520.00
1050-092-04	1549 S PLEASANT AV, Ontario, CA 91761	170.00
1050-284-01	1702 S EUCLID AV, Building:1, Ontario, CA 91762	120.00
1050-291-03	459 W MAPLE ST, Ontario, CA 91762	170.00
1050-301-09	509 W LOCUST ST, Ontario, CA 91762	1,010.00
1050-411-32	1920 S MONTEREY AV, Ontario, CA 91761	840.00
1050-461-03	1813 S BON VIEW AV, Ontario, CA 91761	500.00
1050-461-05	916 E FRANCIS ST, Ontario, CA 91761	500.00
1051-041-05	507 W PHILADELPHIA ST, Ontario, CA 91762	120.00
1051-171-41	2424 S GROVE AV, Ontario, CA 91761	500.00
1051-201-10	2436 S PLEASANT AV, Ontario, CA 91761	340.00
1051-221-16	125 W GEYER CT, Ontario, CA 91762	500.00
1051-411-25	341 E HAZELTINE ST, Ontario, CA 91761	340.00

City of Ontario
Code Enforcement Department
2017/2018 Tax Roll Year Special Assessments
Exhibit B

Parcel Number	Address	Amount Due
1051-421-50	308 E BLUE JAY WY, Ontario, CA 91761	340.00
1052-251-02	7208 E CHINO AV, Ontario, CA 91761	120.00
1083-071-19	0 S ARCHIBALD AV, Ontario, CA 91761	500.00
1083-071-20	0 S ARCHIBALD AV, Ontario, CA 91761	500.00
1083-141-53	3121 E CRYSTAL LAKE RD, Ontario, CA 91761	170.00
Total		16,560.00

City of Ontario
Code Enforcement Department
2017/2018 Tax Roll Year Special Assessments
Exhibit C

Parcel Number	Address	Amount Due
0108-363-13	1530 E HIGHLAND CT, Ontario, CA 91764	52.46
0108-381-09	1206 N GROVE AV, Ontario, CA 91764	170.00
0108-491-04	1703 E DEODAR ST, Ontario, CA 91764	370.25
0108-541-19	1646 E YALE ST, Ontario, CA 91764	67.00
0110-061-01	1375 E HOLT BL, Ontario, CA 91761	550.00
0110-513-19	751 N BAKER AV, Ontario, CA 91764	170.00
0113-551-17	2809 E DORAL CT, Ontario, CA 91761	760.00
0113-601-14	1635 E CEDAR ST, Building:1, Ontario, CA 91761	170.00
0113-641-05	2133 S GREEN PRIVADO, Ontario, CA 91761	520.00
0210-041-64	1453 N SAN DIEGO PL, Ontario, CA 91764	340.00
0216-172-12	8406 E CHINO AV, Ontario, CA 91761	1,115.80
0216-172-14	13158 S WALKER AV, Ontario, CA 91761	1,115.80
0216-331-63	1626 E BERMUDA DUNES ST, Ontario, CA 91761	120.00
0218-741-35	3510 S ARCADIAN SHORES AV, Ontario, CA 91761	120.00
0218-771-49	3722 S MUSTANG DR, Ontario, CA 91761	640.00
1008-571-03	1537 W PRINCETON ST, Ontario, CA 91762	48.70
1010-131-16	1265 W ROSEWOOD CT, Ontario, CA 91762	50.51
1010-192-08	948 W H ST, Ontario, CA 91762	220.00
1010-522-07	1131 W STONERIDGE CT, Unit:1, Ontario, CA 91762	341.00
1010-522-15	115 N MOUNTAIN AV, Ontario, CA 91762	120.00
1011-421-17	1317 W RALSTON ST, Ontario, CA 91762	170.00
1011-531-13	1114 S MAGNOLIA AV, Ontario, CA 91762	520.00
1015-101-43	2222 S OAKS AV, Ontario, CA 91762	170.00
1047-241-09	1524 N EUCLID AV, Ontario, CA 91764	120.00
1047-372-07	604 E BONNIE BRAE CT, Ontario, CA 91764	120.00
1048-093-26	627 E J ST, Ontario, CA 91764	520.00
1048-191-58	724 N ALLYN AV, Unit:A, Ontario, CA 91764	52.46
1048-394-09	640 E E ST, Ontario, CA 91764	52.46
1048-412-08	734 E F ST, Ontario, CA 91764	340.00
1048-534-15	225 N CAMPUS AV, Ontario, CA 91764	249.89
1048-566-05	317 N EUCLID AV, Building:1, Unit:A, Ontario, CA 91762	170.00
1049-111-05	810 E MAIN ST, Building:2, Ontario, CA 91761	170.00
1049-131-03	914 E HOLT BL, Ontario, CA 91761	110.00
1049-131-04	918 E HOLT BL, Ontario, CA 91761	550.00
1049-194-12	1058 E STATE ST, Ontario, CA 91761	550.00
1049-221-09	543 E NEVADA ST, Ontario, CA 91761	170.00
1049-221-27	532 E SUNKIST ST, Ontario, CA 91761	840.00
1049-232-17	546 E PARK ST, Ontario, CA 91761	120.00
1049-271-15	419 S VINE AV, Ontario, CA 91762	110.00
1049-353-09	521 E MAITLAND ST, Ontario, CA 91761	2,057.58
1049-362-03	736 E CALIFORNIA ST, Ontario, CA 91761	50.00

**City of Ontario
Code Enforcement Department
2017/2018 Tax Roll Year Special Assessments
Exhibit C**

Parcel Number	Address	Amount Due
1049-502-04	618 E MAITLAND ST, Ontario, CA 91761	550.00
1050-013-21	628 W SONOMA CT, Ontario, CA 91762	520.00
1050-061-14	125 W ELM ST, Ontario, CA 91762	520.00
1050-092-04	1549 S PLEASANT AV, Ontario, CA 91761	170.00
1050-241-08	1723 S SULTANA AV, Ontario, CA 91761	19,892.00
1050-284-01	1702 S EUCLID AV, Building:1, Ontario, CA 91762	120.00
1050-291-03	459 W MAPLE ST, Ontario, CA 91762	170.00
1050-301-09	509 W LOCUST ST, Ontario, CA 91762	1,010.00
1050-411-32	1920 S MONTEREY AV, Ontario, CA 91761	840.00
1050-461-03	1813 S BON VIEW AV, Ontario, CA 91761	600.00
1050-461-05	916 E FRANCIS ST, Ontario, CA 91761	550.00
1051-041-05	507 W PHILADELPHIA ST, Ontario, CA 91762	120.00
1051-171-41	2424 S GROVE AV, Ontario, CA 91761	550.00
1051-201-10	2436 S PLEASANT AV, Ontario, CA 91761	340.00
1051-221-16	125 W GEYER CT, Ontario, CA 91762	550.00
1051-411-25	341 E HAZELTINE ST, Ontario, CA 91761	340.00
1051-421-50	308 E BLUE JAY WY, Ontario, CA 91761	340.00
1052-251-02	7208 E CHINO AV, Ontario, CA 91761	120.00
1083-071-19	0 S ARCHIBALD AV, Ontario, CA 91761	550.00
1083-071-20	0 S ARCHIBALD AV, Ontario, CA 91761	550.00
1083-141-53	3121 E CRYSTAL LAKE RD, Ontario, CA 91761	170.00
Total		42,845.91

CITY OF ONTARIO

Agenda Report
November 15, 2016

SECTION:
CONSENT CALENDAR

SUBJECT: AMENDMENT TO THE PROFESSIONAL SERVICES AGREEMENT FOR CONSTRUCTION ENGINEERING SUPPORT SERVICES FOR THE FRANCIS STREET STORM DRAIN

RECOMMENDATION: That the City Council approve an amendment to the Professional Services Agreement (on file in the Records Management Department) with Danken Construction Engineering Group of Ontario, California, for additional engineering construction support services for the Francis Street Storm Drain Project, in the amount of \$83,317 for a revised contract of \$183,175; and authorize the City Manager to execute said amendment and related documents.

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)
Focus Resources in Ontario's Commercial and Residential Neighborhoods

FISCAL IMPACT: The Fiscal Year 2016-17 Capital Improvement Program includes appropriations for the Francis Street Storm Drain Project. 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 and support services. The existing Danken agreement through Amendment No. 1 is \$99,858. The recommended action will add \$83,317, for a total agreement amount of \$183,175.

BACKGROUND: The Francis Street Storm Drain Project is a regional Master Plan Facility that drains 670 acres of Ontario. The storm drain is located in Francis Street, from the West Cucamonga Creek Channel to Bon View Avenue. The contractor, Young & Associates has fallen behind with the storm drain installation; and in order to catch up to the construction schedule, the contractor is adding a night shift. With the additional second shift, more engineering support and inspection services will be needed to cover the night shift. The additional cost will be paid for by the contractor, and the project is expected to be completed by April 2017.

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

Prepared by: Cindy Hackett
Department: Engineering

City Manager
Approval: 

Submitted to Council/O.H.A. 11/15/2016
Approved: _____
Continued to: _____
Denied: _____

4

CITY OF ONTARIO

Agenda Report
November 15, 2016

**SECTION:
CONSENT CALENDAR**

SUBJECT: AMENDMENT TO THE PROFESSIONAL SERVICES AGREEMENT FOR CONSTRUCTION MATERIALS TESTING AND GEOTECHNICAL SERVICES FOR THE SIXTH STREET STORM DRAIN PROJECT

RECOMMENDATION: That the City Council approve an amendment to the Professional Services Agreement (on file in the Records Management Department) with Kleinfelder, Inc. of Ontario, California, for additional construction materials testing and geotechnical services for the Sixth Street Storm Drain Project, in the amount of \$79,895 for a revised contract amount of \$170,385; and authorize the City Manager to execute said amendment and related documents.

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)
Focus Resources in Ontario's Commercial and Residential Neighborhoods

FISCAL IMPACT: The Fiscal Year 2016-17 Capital Improvement Program includes appropriations for the Sixth Street Storm Drain Project. The original Kleinfelder, Inc. agreement was in the amount of \$90,490. The recommended actions will add \$79,895, for a total agreement amount of \$170,385.

BACKGROUND: This amendment provides for additional construction materials testing and geotechnical services for the Sixth Street Storm Drain Project. The additional testing and geotechnical oversight is necessary due to slower daily construction progress by the construction contractor than originally anticipated, and an increase in field observation and testing needed to ensure the construction contractor's compliance with the approved plans and specifications.

As of September 4, the construction contractor had completed 25 percent of the storm drain installation and the City had utilized approximately 75 percent of the construction materials testing contract. The additional scope of services is based on the construction contractor's current production rate and a projection of the level of effort needed to complete the project. The project is expected to be completed by March 2017.

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

Prepared by: Tricia Espinoza
Department: Engineering

Submitted to Council/O.H.A. 11/15/2016

Approved: _____

Continued to: _____

Denied: _____

City Manager
Approval: _____



CITY OF ONTARIO

Agenda Report
November 15, 2016

SECTION:
CONSENT CALENDAR

SUBJECT: A RESOLUTION AUTHORIZING THE PERMANENT CLOSURE AND VACATION OF THE AT-GRADE UNION PACIFIC RAILROAD COMPANY CROSSINGS AT NORTH VINEYARD AVENUE AND SOUTH MILLIKEN AVENUE

RECOMMENDATION: That the City Council adopt a resolution authorizing the permanent closure and vacation of the at-grade Union Pacific Railroad Company (UPRR) crossings at North Vineyard Avenue and the Alhambra Subdivision Line (DOT No. 764-960M) and at South Milliken Avenue and the Los Angeles Subdivision Line (DOT No. 810-913D).

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)
Focus Resources in Ontario's Commercial and Residential Neighborhoods

FISCAL IMPACT: No fiscal impact. The subject resolution is required by the Construction Agreement between the City and UPRR.

BACKGROUND: The City entered into a New Public Highway Underpass Crossing Agreement, dated May 3, 2013, with UPRR for the construction of the North Vineyard Avenue Grade Separation Project and the South Milliken Avenue Grade Separation Project. With the construction of the bridges, both projects will result in the elimination of the existing at-grade public road crossings located on Vineyard Avenue at UPRR's Alhambra Subdivision, further identified as DOT No. 764-960M; and on Milliken Avenue at UPRR's Los Angeles Subdivision, further identified as DOT No. 810-913D. As required by the Construction Agreements, the City has agreed to authorize and direct the permanent closure of the before mentioned at-grade crossings. Construction of the North Vineyard Avenue Grade Separation is now complete, and the construction of the South Milliken Avenue Grade Separation is due to be complete March 2017 with substantial work completed to eliminate the at-grade crossing at this time.

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

Prepared by: Cindy Hackett
Department: Engineering

City Manager
Approval: 

Submitted to Council/O.H.A. 11/15/2016
Approved: _____
Continued to: _____
Denied: _____

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, AUTHORIZING THE PERMANENT CLOSURE OF THE AT-GRADE UNION PACIFIC RAILROAD COMPANY CROSSINGS AT NORTH VINEYARD AVENUE (DOT NO. 764-960M) AND SOUTH MILLIKEN AVENUE (DOT NO. 810-913D).

WHEREAS, the City entered into New Public Highway Underpass Crossing Agreements with the Union Pacific Railroad Company for construction, maintenance and use of the new North Vineyard Avenue Grade Separated Public Road Crossing (DOT No. 764-960M) and the South Milliken Avenue Grade Separated Public Road Crossing (DOT No. 810-913D); and

WHEREAS, as part of the said agreements, the City agreed to design and construct the North Vineyard Avenue and the South Milliken Avenue Grade Separated Public Road Crossings; and

WHEREAS, the Union Pacific Railroad Company agreed to contribute ten percent of the portion of the "Theoretical Structure" for both said grade separated projects; and

WHEREAS, the City agreed to authorize and direct the permanent closure and vacation of the existing at-grade crossings located at North Vineyard Avenue and the Alhambra Subdivision Line (DOT No. 764-960M) and at South Milliken Avenue and the Los Angeles Subdivision Line (DOT No. 810-913D).

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Ontario authorizes the permanent closure and vacation the at-grade crossings located at North Vineyard Avenue and the Alhambra Subdivision Line (DOT No. 764-960M) and at South Milliken Avenue and the Los Angeles Subdivision Line (DOT No. 810-913D).

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

PASSED, APPROVED, AND ADOPTED this 15th day of November 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 November 15, 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 November 15, 2016.

SHEILA MAUTZ, CITY CLERK

(SEAL)

CITY OF ONTARIO

Agenda Report
November 15, 2016

SECTION: CONSENT CALENDAR

SUBJECT: A RESOLUTION AUTHORIZING THE CITY MANAGER TO GRANT A DEDICATION OF EASEMENT TO SOUTHERN CALIFORNIA EDISON WITHIN WESTWIND PARK FOR PUBLIC UTILITY PURPOSES

RECOMMENDATION: That the City Council adopt a resolution authorizing the City Manager to grant a dedication of easement to Southern California Edison (SCE) within Westwind Park located on the north side of Riverside Drive east of the Cucamonga Creek Channel for public utility purposes.

COUNCIL GOALS: Regain Local Control of the Ontario International Airport
Invest in the Growth and Evolution of the City's Economy
Pursue City's Goals and Objectives by Working with Other Governmental Agencies

FISCAL IMPACT: None. The City will not incur any cost in approving the dedication of easement. The developer of Tract Map No. 16045 (Forestar Development Company of Newport Beach, California), located on the south side of Riverside Drive in the Countryside Specific Plan Area in Ontario Ranch, will pay the applicable processing fees to defray the City's cost to process this request.

BACKGROUND: As a condition of approval, the developer of Tract Map No. 16045 is required to widen the south side of Riverside Drive to the ultimate condition, relocate SCE existing transmission power poles and underground overhead distribution lines. As a result of this relocation, SCE is requesting an easement within the City owned property of Westwind Park, as shown on the attached Exhibit A, to accommodate the undergrounding of existing service to the park.

The easement dedication is in a form approved by the City Attorney and the request has been reviewed by the City Engineer.

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

Prepared by: Naiim Khoury
Department: Engineering

Submitted to Council/O.H.A. 11/15/2016

Approved: _____

Continued to: _____

Denied: _____

City Manager
Approval: _____



RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO,
CALIFORNIA, AUTHORIZING THE CITY MANAGER TO GRANT A
DEDICATION OF EASEMENT TO SOUTHERN CALIFORNIA EDISON
WITHIN WESTWIND PARK FOR PUBLIC UTILITY PURPOSES

WHEREAS, in conjunction with the development of Tract Map No. 16045 located on the south side of Riverside Drive in Ontario Ranch area, Southern California Edison (SCE) is requesting the City to grant a dedication of easement within Westwind Park located on the north side of Riverside Drive for the placement of SCE infrastructure within City fee owned property; and

WHEREAS, the dedication is in a form approved by the City Attorney; and

WHEREAS, the dedication requested has been reviewed by the Engineering Department.

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

1. That the City Manager is hereby authorized on behalf of the City to grant a dedication of easement within Westwind Park to SCE for public utility purposes and execute same on behalf of the City of Ontario.
2. That the City Clerk is hereby authorized to attest to and affix the City seal on all said grants of easement.
3. That the City Clerk is hereby authorized to transmit said documents to the San Bernardino County Recorder's Office for recordation.

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

PASSED, APPROVED, AND ADOPTED this 15th day of November 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 November 15, 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 November 15, 2016.

SHEILA MAUTZ, CITY CLERK

(SEAL)

EXHIBIT "A"

TWO STRIPS OF LAND LYING WITHIN LOT 22 OF HUNTER AND DAVIDSON'S SUBDIVISION OF THE FAY TRACT, AS PER MAP RECORDED IN BOOK 8, PAGE 98 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, THE CENTERLINES OF SAID STRIPS ARE DESCRIBED AS FOLLOWS:

STRIP #1 (6.00 FEET WIDE)

COMMENCING AT THE INTERSECTION OF THE CENTERLINE OF RIVERSIDE DRIVE WITH THE WESTERLY BOUNDARY OF TRACT NO. 9311, AS PER MAP FILED IN BOOK 128, PAGES 49 THROUGH 51 OF MAPS, IN THE OFFICE OF SAID COUNTY RECORDER; THENCE ALONG THE CENTERLINE OF SAID RIVERSIDE DRIVE, NORTH 89°02'08" WEST 304.30 FEET; THENCE LEAVING THE CENTERLINE OF SAID RIVERSIDE DRIVE, NORTH 00°57'52" EAST 30.00 FEET TO THE NORTHERLY LINE OF SAID RIVERSIDE DRIVE AND THE **TRUE POINT OF BEGINNING**; THENCE CONTINUING NORTH 00°57'52" EAST 6.50 FEET TO A POINT HEREINAFTER REFERRED TO AS POINT "A"; THENCE CONTINUING NORTH 00°57'52" EAST 45.50 FEET TO A POINT OF ENDING.

STRIP #2 (6.00 FEET WIDE)

BEGINNING AT SAID POINT "A", SAID POINT BEING THE BEGINNING OF A CURVE, TANGENT TO THE CENTERLINE OF SAID STRIP #1, CONCAVE TO THE SOUTHEAST AND HAVING A RADIUS OF 12.50 FEET; THENCE NORTHERLY, NORTHEASTERLY, AND EASTERLY ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 90°00'00" AN ARC DISTANCE OF 19.63 FEET; THENCE SOUTH 89°02'08" EAST 37.50 FEET TO A POINT OF ENDING.

EXCEPTING THEREFROM THAT PORTION INCLUDED WITHIN STRIP #1 DESCRIBED HEREINABOVE.

FOR SKETCH TO ACCOMPANY LEGAL DESCRIPTION, SEE EXHIBIT "B" ATTACHED HERETO AND MADE A PART HEREOF.

Prepared by me or under my supervision:

Dated: Nov. 5, 2015

Glenn M. Bakke
Glenn M. Bakke R.C.E. #18619 Exp. 06-30-2017



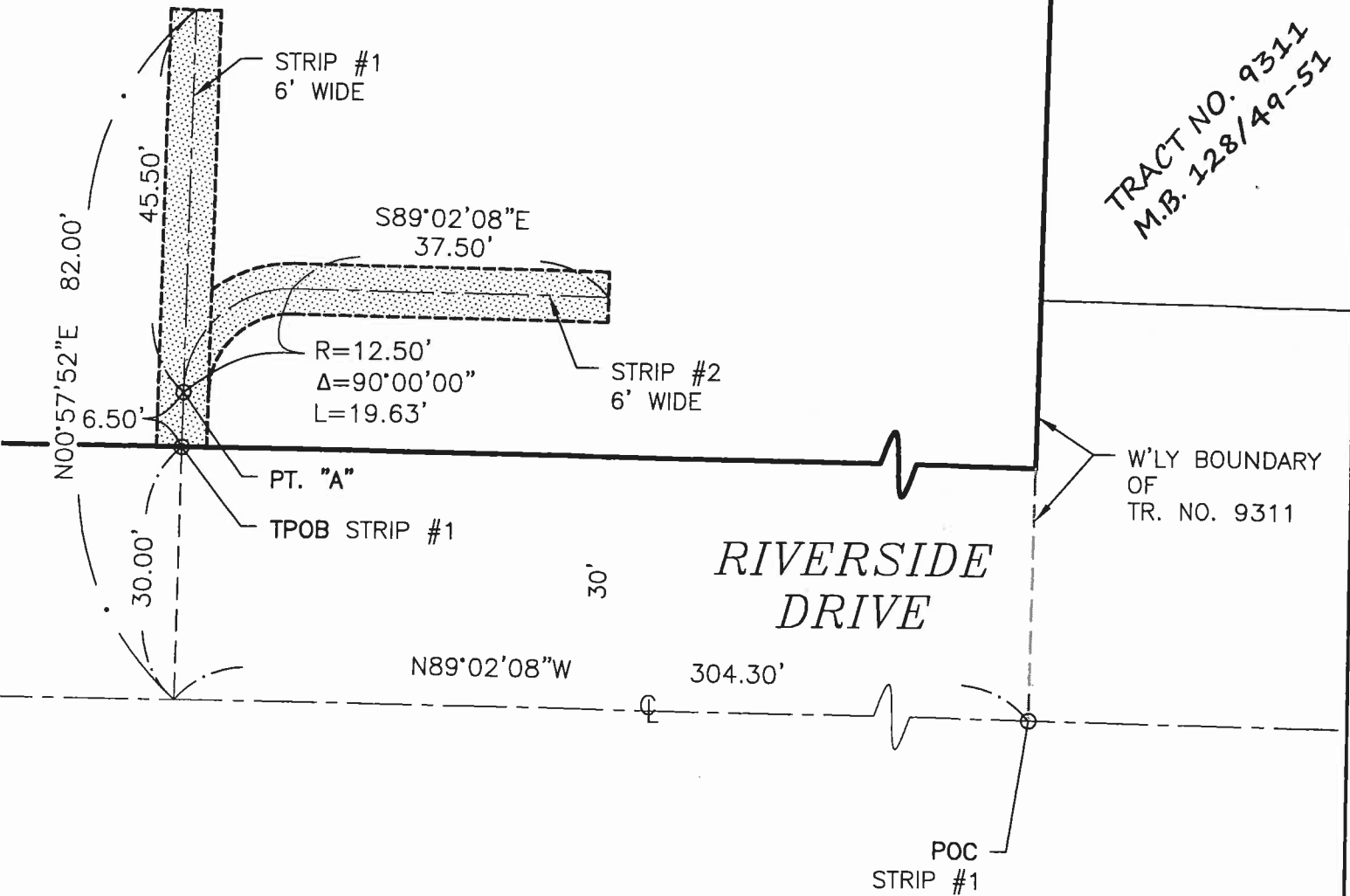
EXHIBIT "B"

LOT 22
HUNTER AND DAVIDSON'S SUBDIVISION
OF THE FAY TRACT
M.B. 8/98




SCALE: 1"=20'

TRACT NO. 9311
M.B. 128/49-51



LEGEND

 DENOTES
SCE EASEMENT AREA
POC = POINT OF COMMENCEMENT
TPOB = TRUE POINT OF BEGINNING

Dated Nov. 5, 2015

Glenn M. Bakke
Glenn M. Bakke R.C.E.# 18619 Exp. 6-30-17

CITY OF ONTARIO

Agenda Report
November 15, 2016

SECTION: CONSENT CALENDAR

SUBJECT: A RESOLUTION APPROVING FINAL PARCEL MAP NO. 19732 LOCATED AT 3350 AND 3380 EAST SHELBY STREET

RECOMMENDATION: That the City Council adopt a resolution approving Final Parcel Map No. 19732 located at 3350 and 3380 East Shelby Street.

COUNCIL GOALS: Regain Local Control of the Ontario International Airport
Invest in the Growth and Evolution of the City's Economy

FISCAL IMPACT: None. All public infrastructure improvements required for this subdivision have previously been constructed.

BACKGROUND: Final Parcel Map No. 19732 consisting of two parcels with two (2) existing commercial buildings located on 4.29 acres, as shown on the attached Exhibit A, has been submitted by the applicant CEMDT Park Haven, LLC, a California Limited Company of Beverly Hills, California (Mr. Peter Cohen, Managing Member).

Tentative parcel Map No. 19732 was approved by the Planning Commission on October 25, 2016.

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.

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

Prepared by: Naiim Khoury

Department: Engineering

City Manager
Approval: _____



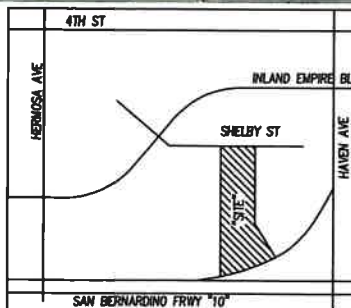
Submitted to Council/O.H.A. 11/15/2016

Approved: _____

Continued to: _____

Denied: _____

EXHIBIT A PM-19732



LOCATION MAP
NO SCALE



**LAND
DEVELOPMENT
DESIGN
COMPANY, LLC**

2313 E. Philadelphia St., Ste. F
ONTARIO, CA 91761
(909) 930-1466
FAX (909) 930-1468

PLANNING • CIVIL • SURVEYING

DATE:	SCALE:	SHEET:	JOB NO.	
11/3/16	NTS	1 OF 1	5518	

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO,
CALIFORNIA, APPROVING FINAL PARCEL MAP NO. 19732 LOCATED
AT 3350 AND 3380 EAST SHELBY STREET.

WHEREAS, Tentative Parcel Map No. 19732, submitted for approval by CEMDT
Park Haven, LLC (Mr. Peter Cohen, Managing Member) was approved by the Planning
Commission of the City of Ontario on October 25, 2016; and

WHEREAS, Final Parcel Map No. 19732 consisting of two (2) parcels located in
the City of Ontario, County of San Bernardino, State of California, being a subdivision of
Parcel 3 of Parcel Map No. 9989 as per Map Recorded in Book 112, Pages 75 and 76
of Parcel Maps, in the Office of the County Recorder of said County, and as corrected
by that "Certification of Correction", Recorded April 27, 1988 as Instrument
No. 88-125553, Official Records; and

WHEREAS, there are no public improvements required for Final Parcel Map
No. 19732; and

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of
Ontario, California, that Final Parcel Map No. 19732 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 15th day of November 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 November 15, 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 November 15, 2016.

SHEILA MAUTZ, CITY CLERK

(SEAL)

CITY OF ONTARIO

Agenda Report
November 15, 2016

SECTION: CONSENT CALENDAR

SUBJECT: ORDINANCES TO ADOPT THE 2015 INTERNATIONAL FIRE CODE, AND 2016 CALIFORNIA STATE FIRE AND BUILDING CODES

RECOMMENDATION: That the City Council:

- (A) Adopt an ordinance amending Chapter 4, Title 4 of the Ontario Municipal Code entitled "Fire Code" adopting by reference, with certain amendments, additions, deletions, and exceptions, the 2015 International Fire Code and the 2016 California Fire Code (California Code of Regulations, Title 24, Part 9); and
- (B) Adopt an ordinance amending Chapters 1, 2, 3, 4, 5, 6, 7, 11 and 12 of Title 8 of the Ontario Municipal Code to adopt the California Building Standards Code.

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: None. Adoption of the proposed ordinances will not impact the current permit or plan check fees. The proposed ordinances provide that future fee revisions may be enacted by City Council resolution.

BACKGROUND: On November 1, 2016, the City Council introduced the proposed ordinances at a duly noticed public hearing.

Every three years, the California Building Standards Commission adopts the California Building Standards Code, which consists of the codes that regulate building construction. The California Health and Safety Code mandates that all public agencies responsible for administering Building and Safety and Fire Codes comply with the State adopted Building and Safety and Fire Codes; and local agencies are

STAFF MEMBER PRESENTING: Rob Elwell, Fire Chief
Kevin Shear, Building Official

Prepared by: Art Andres / Kevin Shear
Department: Fire / Building

City Manager
Approval: 

Submitted to Council/O.H.A. 11/15/2016
Approved: _____
Continued to: _____
Denied: _____

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required to adopt and enforce the State codes. Local agencies may also adopt amendments to the State Codes based on findings relative to local geological or topographic conditions. Staff recommends amendments to the Codes based upon certain local conditions to ensure compliance with State mandates, to assure that Ontario's Codes continue to address the latest technological advances, and to provide for the use of companion Fire and Building Codes.

Fire Codes: The proposed ordinance adopts the 2015 International Fire Code and the 2016 California Fire Code and provides for certain local amendments. These amendments are consistent with other provisions that are in the current version of the City's Fire Code. The State Codes incorporate, by reference, the Model Codes published by the International Code Council (ICC).

Building Codes: The California Building Standards Commission has adopted the 2015 edition of the International Building Code as the State Building Code. The proposed ordinance adopts the 2016 edition of the State Building, Electrical, Plumbing, Mechanical, Residential, and Green Building Standards Codes. The Dangerous Building Code - Chapter 11 and the Uniform Housing Code - Chapter 2 are being readopted without amendments. The summary below outlines key points involving the new State Building Codes:

- All the subject State Codes must be enforced by local agencies effective January 1, 2017.

The State Building Standards Commission has held numerous hearings related to adoptions of the codes, hearing public testimony from all stakeholders. All public testimony endorsed the use of International Codes.

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, AMENDING CHAPTER 4 OF TITLE 4 OF THE ONTARIO MUNICIPAL CODE; ADOPTING BY REFERENCE WITH CERTAIN AMENDMENTS, ADDITIONS, DELETIONS, AND CHANGES THERETO, THE 2016 CALIFORNIA FIRE CODE AND THE 2015 INTERNATIONAL FIRE CODE, PROVIDING FOR THE RECOVERY OF COSTS AND COLLECTION OF FEES; AND REPEALING ORDINANCE NO. 2976 OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA.

WHEREAS, pursuant to Government Code Section 50022.1 *et seq.*, the City of Ontario, California ("City") may adopt by reference the 2016 edition of the California Building Standards Code as provided in Title 24 of the California Code of Regulations; and

WHEREAS, California Health and Safety Code Sections 17958.7 and 18941.5 authorize cities to adopt the California Building Standards Code with modifications that are determined to be reasonably necessary because of local climatic, geological, or topographical conditions; and

WHEREAS, prior to making modifications permitted under California Health and Safety Code Sections 17958.7 and 18941.5, the City Council is required to make express findings that such modifications are needed in accordance with California Health and Safety Code Sections 17958.7; and

WHEREAS, the City held a public hearing on November 1, 2016, at which time all interested persons had the opportunity to appear and be heard on the matter of adopting the Codes as amended herein; and

WHEREAS, the City published notice of the aforementioned public hearing pursuant to California Government Code Section 6066 on October 20, 2016; and

WHEREAS, all legal prerequisites to the adoption of this Ordinance have occurred.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, DOES ORDAIN AS FOLLOWS:

SECTION 1. The City Council hereby finds that the following proposed amendments to the 2016 California Fire Code and the 2015 International Fire Code are (1) necessary because of local climatic, geological, or topographical conditions, or (2) are of an administrative or procedural nature, and/or do not modify building standards and are reasonably necessary to safeguard life and property within the City.

Amendment	Applicable Findings from Listing Below
Sections 102.7, 103.1, 103.2, 103.3, 103.4, 103.4.1, 104.10, 105.6.50, 108.1, 109.4, 111.4	D-1
Section 503.2.1	D-2
Section 503.4	D-2
Section 507.5.1.2	A-1, B-1, B-2, C-1, C-2, C-3
Section 903.3.7	A-1, A-2, B-2, B-3, B-4, B-5, B-6, C-1, C-2, C-3 & C-4
Section 903.7	A-1, A-2, B-2, B-3, B-4, B-5, B-6, C-1, C-2, C-3 & C-4
Sections 2808.1, 2808.3, 2808.4, 2808.5, 2808.10	C-1, C-2, C-3 & C-4
Sections 2810, 2810.1	C-1, C-2, C-3 & C-4
Appendix B Section B105.2	A-1, B-2, B-3, B-4 & B-5

A. Local Geological Conditions.

A-1. The City of Ontario is subject to moderately strong to severe shaking and surface ruptures resulting from five earthquake faults located within or near the City. These local earthquake faults have the potential to cause severe personal and property damage and fire hazards. Moreover, there is also a potential for damage to roadways, water supplies, and the impairment of access allowing fire equipment to respond to emergencies in the event of a severe earthquake.

A-2. Adverse geological conditions exist in portions of the City that may cause excessive flooding. Flood control facilities are not adequate to handle the water flow that occurs during major storms or prolonged rains. Some of the streets in the City are actually designed and used for flood control purposes, thus making the fire and emergency access difficult during flood conditions. As a consequence, many of the streets within the City are impaired during such flood conditions and such flooding causes physical damage to the streets and the accumulation of debris, all of which hinder access to fire equipment for the purposes of responding to fire and other emergencies.

B. Local Topographical Conditions.

B-1. The topography of the City of Ontario is generally that of a gently sloping inclined plane that slopes in a southerly direction from an elevation of 1,190 feet to an elevation of 730 feet at the southern boundary of the City resulting in several water pressure zones to serve the City. The elevation changes caused by the mountains and hills creates the geological foundation upon which the City is built and will continue to build.

B-2. Located within the City are two major interstate freeways and a major state highway that provide for limited under crossing access points to traverse the City. These highways also restrict the ability of the water supply grid to provide water from multiple points to all areas of the City and necessitates the use of dead-end water mains to many areas adjacent to highways.

B-3. The City is bisected from east to west by two very active railroad main route tracks used by the Southern Pacific and Union Pacific Railroads. These lines are used for both commuter and large freight transport trains, including the transporting of large quantities of hazardous materials. Limited under-crossings and overcrossings exist within the City for uninterrupted emergency vehicle passage. Moreover, emergency vehicles are routinely delayed at grade crossings until passenger trains or passing freight trains clear the grade crossings.

B-4. Two large petroleum product pipelines bisect the City along the Southern Pacific Railroad right-of-way. The pipelines are used to transport large quantities of gasoline, diesel fuel, and jet fuels under high pressures. Another petroleum pipeline intersects the City along the east side en-route to the Etiwanda electrical generating station north and east of the City. While generally underground, these pipelines pass overhead at several overpasses located over main thoroughfares in the City. Damage to these pipelines during seismic events poses the dual potential of creating a time emergency and at the same time restricting emergency vehicle access within the City.

B-5. Two large, high pressure, natural gas transmission pipelines traverse the easterly part of the City, along the I-15 Freeway and on the west side along Benson Avenue. These 36" transmission mains transport natural gas at pressures exceeding 500 psi and pass through developed residential and industrial areas. These transmission pipelines also intersect the previously mentioned petroleum pipelines. Interruption of these pipelines due to flooding or seismic events is possible and would result in reduced resources to protect the balance of the City.

B-6. A large commercial airport is located within the central portion of the City providing limited emergency vehicle access from the north to the south central portions of the City. A majority of the City is located within the approach and/or departure paths of large commercial aircraft exposing a large part of the City to potential aircraft related emergencies. Moreover, Santa Ana Winds frequently require the flight paths of arriving and departing aircraft to be reversed.

C. Local Climatic Conditions.

C-1. The City is subject to extremely strong winds, commonly referred to as "Santa Ana Winds," which can reach speeds in excess of 80 miles per hour and approach the basin from the desert via the Devore Pass. Extensive damage often occurs during such winds, including downed electric wires, downed poles, fallen trees, blowing debris, sand, and dust. Blowing dust experienced during these winds has reduced visibility near zero and impacted the response times of emergency vehicles.

C-2. During the summer months, the Santa Ana Winds produce period of extremely low humidity causing an increase in the threat of fire from dry vegetation and other common fuels. These conditions have, in the past, resulted in vegetation and structure fires.

C-3. The City experiences summer temperatures in excess of 100 degrees Fahrenheit. When coupled with severe Santa Ana Winds these conditions can cause a fire to spread quickly throughout portions of the City.

C-4. Weather conditions, coupled with flammable vegetation in bordering cities results in numerous wildland rims, which draw existing fire fighting forces from their structure protection duties for extended periods of time. This results in increased response times to structure fires when fire department personnel and equipment are committed to nonstructural fire protection activities.

D. Administrative/Procedural/Public Safety Amendments.

D-1. This amendment is necessary for administrative or procedural clarification and to establish administrative standards for the effective enforcement or the building standards of the City of Ontario and does not modify a building standard pursuant to California Health & Safety Code sections 17958, 17958.7, and/or 18941.5.

D-2. This amendment does not modify a building standard pursuant to California Health and Safety Code sections 17958, 17958.7, and/or 18941.5 and is reasonably necessary to safeguard life and property within the City of Ontario.

SECTION 2. Chapter 4 of Title 4 of the Ontario Municipal Code is hereby rewritten in its entirety to read as follows:

Chapter 4: Fire Code

Sections:

- | | |
|--------|---|
| 4-4.01 | Adoption of California Fire Code and the International Fire Code |
| 4-4.02 | Cost Recovery |
| 4-4.03 | Establishment of the Limits of Districts in Which Stationary Containers of Flammable Cryogenic Fluids Are Prohibited |
| 4-4.04 | Establishment of the Limits of Districts in Which Storage of Class I and Class II Liquids in Unprotected Aboveground Tanks and in Below Grade Vaulted Tanks is Prohibited |
| 4-4.05 | Establishment of the Limits in Which Storage of Liquefied Petroleum Gases Is Restricted for the Protection of Heavily Populated or Congested Areas |
| 4-4.06 | Amendments to the 2016 California Fire Code and 2015 International Fire Code |
| 4-4.07 | Amendment: Referenced codes and standards |
| 4-4.08 | Amendment: General |
| 4-4.09 | Amendment: Appointment |

4-4.10	Amendment: Deputies
4-4.11	Amendment: Liability and Legal Defense
4-4.12	Amendment: Investigations
4-4.13	Amendment: Pallets
4-4.14	Amendment: Board of Appeals Established
4-4.15	Amendment: Violation Penalties
4-4.16	Amendment: Failure to Comply
4-4.17	Amendment: Dimensions
4-4.18	Amendment: Obstruction of Fire Apparatus Access Roads
4-4.19	Amendment: Two Points of Connection
4-4.20	Amendment: Floor Control Valves
4-4.21	Amendment: Rooftop Hose Connections
4-4.22	Amendment: General
4-4.23	Amendment: Size of Piles
4-4.24	Amendment: Pile Separation
4-4.25	Amendment: Combustible Waste
4-4.26	Amendment: Emergency Plan
4-4.27	Amendment: Requirements for Pallet Yards
4-4.28	Amendment: Buildings Other than One- and Two-Family Dwellings

Section 4-4.01. Adoption of the California Fire Code and the International Fire Code

The City Council of the City of Ontario hereby adopts by reference with certain amendments, additions, deletions and exceptions, the 2016 California Fire Code with errata, incorporating therein the 2015 International Fire Code, also referred to as Part 9 of Title 24 of the California Code of Regulations, with included appendices, as published by the International Code Council and adopted by the California State Building Standards Commission, (hereinafter also “this Code” or the “Ontario Fire Code”), for the purpose of prescribing regulations governing conditions hazardous to life and property from fire, hazardous materials or explosion.

Section 4-4.02. Cost Recovery.

(A) Expense for Responding to and Securing an Emergency.

1. Fire suppression, investigation and rescue or emergency medical costs shall be recoverable in accordance with Health & Safety Code Sections 13009 and 13009.1.

2. Any person or entity who negligently or intentionally, or in violation of law, causes an emergency response, including but not limited to, a traffic accident or spill of toxic or flammable fluids or chemicals, is liable for the costs of responding, securing and investigating such emergency, including those costs set out in Health & Safety Code Section 13009 *et seq.* and Government Code Section 53150 *et seq.* Any expense incurred by the Fire Department for responding to, securing, or investigating such an emergency situation shall constitute a debt of the person or entity responsible and shall be subject to collection by the City in the same manner as an obligation under contract, expressed or implied.

3. The expense of responding to, securing and investigating any emergency or hazard which is the result of a violation of this Code or any other code, ordinance or state law, or any damages caused by malicious mischief requiring any corrective or preventive actions by the Fire Department shall be a charge against the person(s) or entity whose violation caused the emergency and/or damage. Damages caused by such emergency or action may constitute a debt of such person(s) or entity responsible and shall be collectible as provided below:

i. Liability for Hazardous Activities and Conditions. The Chief may also impose the reasonable cost of fire prevention, fire suppression, incident investigation and protection of the public from other safety hazards when a fire or hazardous condition results from any of the following activities or conditions:

- (1) The manufacture, transportation, storage, handling, or spilling, of hazardous chemicals, flammable or combustible liquids, explosives, or blasting agents as defined in this Code; and
- (2) The failure to correct a hazardous condition for which a "Notice of Violation," or equivalent notice, has been previously given by the Chief; and
- (3) The use of welding equipment, cutting torches, tar pot, or other open flame devices; and
- (4) Permitting or causing the accumulation of hazardous or flammable materials on property; and
- (5) Setting of a fire or allowing a fire to be set in violation of any code, ordinance, law or regulation; and
- (6) The possession of, or causing illegal fireworks, explosive devices or destructive devices to ignite, explode or detonate; and
- (7) Creating, allowing, or maintaining a hazard as stated in Ontario Fire Code Section 109.1.

ii. Determination of Costs. Whenever the Chief determines that the fire department or other public agency has incurred costs for fire suppression, fire prevention, or protection of the public from a fire or other hazardous condition that results from the activities or conditions described in subsection (a), the Chief shall:

- (1) Calculate the costs incurred;
- (2) Identify the person(s) or entity to be charged for those costs; and
- (3) Send a report with this information to the City Clerk.

iii. Method of Calculation. In determining costs to be charged a responsible person or entity, the Chief shall include all necessary expenditures to correct the hazardous condition or extinguish the fire, including, but not limited to the following:

- (1) The cost of personnel;
- (2) The cost of extinguishing agents;
- (3) The reasonable value of the use of City equipment;
- (4) The cost incurred for the use of any private contractors to mitigate or remove the hazard or condition; and
- (5) Any and all administrative costs incurred pursuant to the fee schedule as set by resolution duly adopted by the City Council.

iv. Reimbursement Hearing. The City Clerk shall, thereupon, set the report and account received by the Chief for hearing before the City Council at a regular or adjourned regular meeting to be held at least fourteen (14) calendar days after the date the Clerk mails the notice to the responsible person(s) or entity. The City Clerk shall send by regular mail a Notice of said hearing to the person or entity to be charged at the person's or entity's address as shown on the latest equalized tax assessor's roll, or as otherwise known to the City.

v. Notice to Person Charged. The Notice sent by the City Clerk to the responsible person(s) or entity shall contain:

- (1) The name of the person(s) or entity sought to be charged;
- (2) The location, date and time of the incident upon which the claim for reimbursement is based;
- (3) The amount of, and the basis upon which the claim for reimbursement is made;
- (4) The date, time and place of the hearing to be held on the claim for reimbursement with a statement describing the rights of the person or entity charged and the procedures for presenting evidence at said hearing; and
- (5) The Chief's account of the sum claimed to be due.

vi. Procedure for Hearing Before the City Council. At the hearing on the Chief's accounting of the costs and other evidence upon which reimbursement is sought, the City Council shall hear and consider evidence by the person or entity against which reimbursement is sought. The City Council shall thereafter confirm or disallow the account, all or in part, and set forth in a resolution the amount of the account confirmed, if any. Thereafter, any amount confirmed by resolution of the City Council shall become a debt owing to the City of Ontario and shall be collectible by the City in the same manner as in the case of an obligation under contract expressed or implied.

(B) Service Fees.

1. Permit Fees. Any person, establishment, business, occupancy, or process requiring any permit or utilizing any special service or activity performed by or under the direction of the Fire Department shall compensate the City for the cost of such service or activity, in accordance with the adopted fee and charge schedule and any departmental policy.

2. Service Fee Refunds. The Fire Chief is authorized to refund any fee paid hereunder which is determine to be erroneously paid or collected.

i. The Fire Chief is authorized to refund eighty percent (80%) of the service fee paid when the permittee has performed no work nor commenced an operation for which a permit was issued in accordance with this Ordinance.

ii. The Fire Chief is authorized to refund eighty percent (80%) of the plan review fee paid when an application for a permit for which a plan review fee has been paid is withdrawn or canceled before any plan review is completed.

iii. The Fire Chief shall not authorize the refund of any fee paid except upon written application filed by the original permittee not later than one hundred eighty (180) days after the date the fee was paid. Such written application shall state the reasons for the refund request and be accompanied with a receipt of payment.

Section 4-4.03. Establishment of the Limits of Districts in Which Stationary Containers of Flammable Cryogenic Fluids Are Prohibited.

The limits referred to in Section 5806.2 of the 2016 California Fire Code in which the storage of flammable cryogenic fluids in stationary containers is prohibited are hereby established as follows:

1. All areas and zoning districts of the City except the General Industrial District of the City Development Code, and with the specific approval of the Fire Chief.

Section 4-4.04. Establishment of the Limits of Districts in Which Storage of Flammable or Combustible Class I and Class II Liquids in Outside Unprotected Aboveground Tanks is Prohibited.

The limits referred to in Sections 5704.2.9.6.1 and 5706.2.4.4 of the 2016 California Fire Code in which the storage of flammable or combustible liquids in outside aboveground unprotected tanks are prohibited are hereby established as follows:

1. In all areas of the City unless upon specific written findings, the Chief determines that the installation of flammable and combustible unprotected aboveground storage tanks or below grade vaulted tanks will not create a hazard to occupants and property owners in the surrounding area.

Section 4-4.05. Establishment of the Limits in Which Storage of Liquefied Petroleum Gases is Restricted for the Protection of Heavily Populated or Congested Areas.

The limits referred to in Section 6104.2 of 2016 California Fire Code, in which storage of liquefied petroleum gas is restricted, are hereby established as follows:

1. All areas and zoning districts of the City except the General Industrial District of the City zoning ordinance, and with the specific approval of the Fire Chief.

Section 4-4.06. Amendments to the 2016 California Fire Code (CFC) and 2015 International Fire Code (IFC).

Designated portions of the 2016 California Fire Code (CFC) and 2015 International Fire Code (IFC) are amended and changed as set forth in Sections 4-4.07 through 4-4.28.

Section 4-4.07. Amendment: Referenced codes and standards.

Section 102.7 of the 2015 IFC is amended to read as follows:

“102.7 Referenced codes and standards. The codes and standards referenced in this code shall be those that are listed in Chapter 80, and such codes and standards shall be considered to be part of the requirements of this code to the prescribed extent of each such reference and as further regulated by Sections 102.7.1 and 102.7.2. The Fire Chief also hereby authorizes the use of the Ontario Fire Department Fire Protection Standards for the purposes of interpreting and clarifying requirements of this Code and its referenced codes and standards.”

Section 4-4.08. Amendment: General.

Section 103.1 of the 2015 IFC is amended to read as follows:

“103.1 General. The Fire Code as adopted and amended herein shall be enforced by the Bureau of Fire Prevention of the Fire Department of the City of Ontario which is hereby established and shall operate under the supervision of the Chief of the Fire Department.”

Section 4-4.09. Amendment: Appointment.

Section 103.2 of the IFC is amended to read as follows:

“103.2 Appointment. The Fire Marshal shall be responsible for operating the Bureau of Fire Prevention and shall be appointed by the Fire Chief on the basis of examination to determine his or her qualifications.”

Section 4-4.10. Amendment: Deputies.

Section 103.3 of the IFC is amended to read as follows:

“103.3 Deputies. The Chief of the Fire Department shall recommend to the City Manager the employment of technical inspectors, who, when such authorization is made, shall be selected through an examination to determine their fitness for the position.”

Section 4-4.11. Amendment: Liability and Legal Defense.

Section 103.4.1 of the IFC is hereby deleted and Section 103.4 of the IFC is amended to read as follows:

"103.4 Liability and legal defense. The Chief and other individuals charged by the Chief with the enforcement of this Code or any other official duties, acting in good faith and without malice in the discharge of their duties, shall not thereby be rendered personally liable for any damage that may accrue to persons or property as a result of any act or by reason of any act or omission in the discharge of their duties. Any suit brought against the Chief or such individuals because of such act or omission performed in the enforcement of any provision of such Code or other pertinent laws or ordinances implemented through the enforcement of this Code or enforced by the code enforcement agency shall be defended by this jurisdiction until final termination of such proceedings, and any judgment resulting there from shall be assumed by this jurisdiction subject to the provisions of Government Code Section 825."

Section 4-4.12. Amendment: Investigations.

Section 104.10 of the CFC is amended to read as follows:

"104.10 Investigations. The Fire Department is authorized to investigate promptly the cause, origin and circumstances of each and every fire or explosion occurring in the jurisdiction involving loss of life or injury to any person or destruction or damage to property and, if it appears to the Fire Prevention Bureau that such fire or explosion is of suspicious origin, is authorized to take immediate charge of all physical evidence relating to the cause of the fire or explosion and is authorized to pursue the investigation to its conclusion. Fire investigators shall have the powers of a police officer in performing their duties under this code. The Chief is authorized to investigate the cause, origin and circumstances of unauthorized releases of hazardous materials."

Section 4-4.13. Amendment: Pallets.

Section 105.6.50 is added to the IFC to read as follows:

"105.6.50 Pallets. An operational permit is required for idle storage, handling, repair or manufacturing of combustible pallets in excess of one thousand (1,000) units at any one site."

Section 4-4.14. Amendment: Board of Appeals.

Section 108.2 and 108.3 of the IFC is hereby deleted and Section 108.1 of the IFC is amended to read as follows:

"108.1 Board of Appeals Established. The City Council of the City of Ontario may hear and decide appeals of orders, decisions or determinations made by the fire code official relative to the application and interpretation of this code, pursuant to Chapter 4 of Title 1 of the City of Ontario Municipal Code. An application for appeal shall be submitted in writing, in a timely manner, and shall be based on a claim that the

intent of this code or the rules, standards and interpretations adopted hereunder have been incorrectly interpreted, the provisions of this code do not fully apply, or an equivalent method of protection or safety is proposed. The Council shall have no authority to waive requirements of this Code. The City Council shall set the matter for hearing and shall give written notice to the appellant. The fire code official shall act as staff in advising the City Council during such hearing. A written copy of the decision shall be mailed to the concerned parties after the conclusion of such proceedings."

Section 4-4.15. Amendment: Violation penalties.

Section 109.4 of the IFC is amended to read as follows:

"109.4 Violation penalties. Any person who violates any provision of the Fire Code as adopted and amended herein or fails to comply therewith, or who violates or fails to comply with any order made thereunder, or who builds in violation of any detailed statement of specifications or plans submitted and approved thereunder, or any certificate or permit issued thereunder, and from which no appeal has been taken, or who fails to comply with such an order as affirmed or modified by the Board of Appeals or by a court of competent jurisdiction, within the required time, shall severally for each and every such violation and noncompliance, respectively, be guilty of an infraction or a misdemeanor, punishable as set forth in Chapter 2 of Title 1 of the Ontario Municipal Code. The imposition of one penalty for any violation shall not excuse the violation or permit it to continue; and all such persons shall be required to correct or remedy such violations or defects within a reasonable time; and when not otherwise specified, each day that a prohibited condition is maintained shall constitute a separate offense. The application of this penalty shall not be held to prevent the enforced removal of prohibited conditions."

Section 4-4.16. Amendment: Failure to Comply.

Section 111.4 of the CFC is amended to read as follows:

"111.4 Failure to Comply. Any person who shall continue any work after having been served with a stop work order, except that work as that person is directed to perform to remove a violation or unsafe condition, shall be guilty of a misdemeanor, punishable as set forth in Chapter 2 of Title 1 of the Ontario Municipal Code. Each day that any work is done under a stop work order shall constitute a separate offense."

Section 4-4.17. Amendment: Dimensions.

Section 503.2.1 of the IFC is amended to read as follows:

"503.2.1 Dimensions. Fire apparatus access roads shall have an unobstructed width of not less than 24 feet (7315 mm), exclusive of shoulders or curbs, except for approved security gates in accordance with section 503.6, and an unobstructed vertical clearance of not less than 13 feet 6 inches (4115 mm). Fire apparatus access roads that serve buildings that are 3 or more stories in height or having occupied floors more than 30 feet above the lowest level of fire department access shall have an unobstructed width of not less than 26 feet (7925 mm).

Exception: When approved by the fire code official, fire apparatus access roads in existing development that serve only one way traffic shall be a minimum of 20 feet (6096 mm) in width."

Section 4-4.18. Amendment: Obstruction of Fire Apparatus Access Roads.

Section 503.4 of the IFC is amended to read as follows:

"503.4 Obstruction of fire apparatus access roads. The required width of a fire apparatus access road shall not be obstructed in any manner, including parking of vehicles. Access roads, private roadways and public roadways shall be provided and maintained in a passable condition at all times. Any obstruction or impediment to reasonable access may be removed by any public safety agency with the expense of such removal to be borne by the owner of the roadway, or in the case of an obstructing vehicle or object, by the owner of said vehicle or object."

Section 4-4.19. Amendment: Two points of connection.

Section 507.5.1.2 of the CFC is added to read as follows:

"507.5.1.2 Redundant water supplies. New on-site fire protection water systems that serve buildings greater than 100,000 square feet (9,290 m²) in floor area shall have two separate remote connections to the public water system designed and constructed in accordance with recognized standards. The locations of such water connections shall be approved by the fire code official."

Section 4-4.20. Amendment: Floor Control Valves

Section 903.3.7 of the CFC is hereby amended to read as follows:

"903.3.7 Floor Control Valves. Floor control valves and waterflow detection assemblies shall be installed at each floor where any of the following occur:

1. Buildings where the floor level of the highest story is located more than 20 feet above the lowest level of fire department vehicle access.
2. Buildings that are three or more stories in height.
3. Buildings that are two or more stories below the highest level of fire department vehicle access.

Exception: Group R-3 and R-3.1 occupancies floor control valves and waterflow detection assemblies shall not be required."

Section 4-4.21. Amendment: Rooftop Hose Outlets.

Section 903.7 of the CFC is hereby added to read as follows:

"903.7 Rooftop Hose Outlets. New buildings that are equipped with automatic fire sprinklers that exceed 100,000 square feet in floor area shall have hose outlets with

listed valves installed on the roof, in approved locations. Such outlets shall be supplied from the closest sprinkler system. The outlets shall have both 2 ½" and 1 ½" threaded connections for fire department use and shall comply with local standards."

Section 4-4.22. Amendment: General.

Section 2808.1 of the CFC is amended to read as follows:

"2808.1 General. The storage and processing of wood chips, hogged materials, fines, compost and raw product produced from yard waste, debris, recycling, and green waste processing facilities shall comply with Sections 2808.2 through 2808.10."

Section 4-4.23. Amendment: Size of piles.

Section 2808.3 of the CFC is amended to read as follows:

"2808.3 Size of piles. Piles shall not exceed 15 feet (4572 mm) in height, 25 feet (7620 mm) in width and 250 feet (76 200 mm) in length.

Exception: The fire code official is authorized to allow the pile size to be increased when additional fire protection is provided in accordance with Chapter 9. The increase shall be based up on the capabilities of the system installed."

Section 4-4.24. Amendment: Pile separation.

Section 2808.4 of the CFC is amended to read as follows:

"2808.4 Pile separation. Piles shall be separated from adjacent piles by approved fire apparatus access roads. Apparatus roads shall be a minimum of 20 feet (6096 mm)."

Section 4-4.25. Amendment: Combustible waste.

Section 2808.5 of the CFC is amended to read as follows:

"2808.5 Combustible waste. The storage, accumulation and handling of combustible materials and control of vegetation shall comply with Chapter 3. All incoming materials shall be ground or incorporated within 10 days. All incoming materials shall be incorporated into windrows within 15 days. Internal temperatures of stockpiles shall be monitored prior to incorporation into windrows."

Section 4-4.26. Amendment: Emergency plan.

Section 2808.10 of the CFC is amended to read as follows:

"2808.10 Emergency plan. The owner or operator shall develop a plan for monitoring, controlling and extinguishing spot fires and submit the plan to the Ontario Fire Department Fire Prevention Bureau for review and approval. The plan shall include, but not be limited to methods and policies for:

1. Monitoring, controlling and extinguishing spot fires.
2. Emergency contact information for personnel who are able to respond to location 24 hours a day, 7 days a week.
3. Onsite equipment to assist with firefighting operations, such as dozers, water tenders, and large tractors.
4. Special considerations for fire safety during extreme weather conditions.
5. Method of providing adequate onsite water supply for firefighting operation. Water system shall have a minimum delivery/replenish capability of 500 gallons per minute for 2 hours."

Section 4-4.27. Amendment: Pallet Yards.

Sections 2810 and 2810.1 are added to the CFC to read as follows:

SECTION 2810 PALLET YARDS

2810.1 Requirements. Facilities that store, handle, repair or manufacture combustible pallets in excess of 1,000 units at any one site shall comply with locally adopted Ontario Fire Department standards. Such facilities shall require an operational permit in accordance with section 105.6.50."

Section 4-4.28. Amendment: Buildings Other than One- and Two-family Dwellings, Group R-3 and R-4 buildings and townhomes.

Table B105.2 of Appendix B is hereby deleted and Appendix B Section B105.2 of the CFC is amended to read as follows:

"B105.2 Buildings other than one- and two-family dwellings. The minimum fire-flow and flow duration for buildings other than one- and two-family dwellings, Group R-3 and R-4 buildings and townhouses shall be as specified in Table B105.1(2).

Exceptions:

1. A reduction in required fire-flow of up to 50 percent, as approved, is allowed when the building is provided with an approved sprinkler system installed in accordance with Section 903.3.1.1 or 903.3.1.2. The resulting fire-flow shall not be less than 1,500 gallons per minute (5678 L/min) for the prescribed duration as specified in Table B105.1(2).
2. [SFM] Group B, S-2 and U occupancies having a floor area not exceeding 1,000 square feet, primarily constructed of noncombustible exterior walls with wood or steel roof framing, having a Class A roof assembly, with uses limited to the following or similar uses:

- 2.1. California State Parks buildings of an accessory nature (restrooms).
- 2.2. Safety roadside rest areas, (SRRA), public restrooms.
- 2.3. Truck inspection facilities, (TIF), CHP office space and vehicle inspection bays.
- 2.4. Sand/salt storage buildings, storage of sand and salt.”

SECTION 3. Filing of Ordinance. The Fire Chief shall transmit a copy of this Ordinance for filing to the State of California Building Standards Commission, pursuant to Health and Safety Code Section 17958.7. One copy of the Ontario Fire Code shall be placed on file in the Office of the City Clerk and is hereby adopted and made a part of this Chapter as if fully set forth at length herein.

SECTION 4. Repeal of Conflicting Ordinances. Ordinance No. 2976, all former ordinances or parts thereof conflicting or inconsistent with the provisions of this ordinance or of the Fire Code, as adopted and amended herein, are hereby repealed.

SECTION 5. Severability. Any section, paragraph, sentence or word of this ordinance or of the Fire Code as adopted and amended herein that for any reason has been determined to be invalid, it is the intent of the City Council that it will be considered severable from all other portions of this ordinance independent of the elimination therefrom of any such portion as may be declared invalid.

SECTION 6. Effective Date. This ordinance shall take effect and be in force thirty (30) days after its final passage. From the date on which this Ordinance shall take effect, the provisions of the Ontario Fire Code shall be controlling within the City limits of the City of Ontario.

SECTION 7. CEQA. The City Council finds that the changes made to the California Fire Code and the International Fire Code are enacted to mitigate threats to public peace, health and safety from earthquakes, high winds and fire. Moreover, the amendments are substantially similar to those provisions previously enacted and contained in the current version of the City's Fire Code. Therefore, it can be seen with certainty that the adoption of this Ordinance will not have a significant adverse effect on the environment and is therefore exempt from the California Environmental Quality Act (CEQA) pursuant to section 15061(b)(3) of the CEQA Guidelines. Staff is directed to file a Notice of Exemption within five (5) days of the adopting of this Ordinance.

SECTION 8. 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 15th day of November, 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. 3062 was duly introduced at a regular meeting of the City Council of the City of Ontario held on November 1, 2016 and adopted at the regular meeting held November 15, 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. 3062 duly passed and adopted by the Ontario City Council at their regular meeting held November 15, 2016 and that Summaries of the Ordinance were published on November 8, 2016 and November 22, 2016, in the Inland Valley Daily Bulletin newspaper.

SHEILA MAUTZ, CITY CLERK

(SEAL)

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, AMENDING CHAPTERS 1, 2, 3, 4, 5, 6, 7, 11, AND 12 OF TITLE 8 OF THE ONTARIO MUNICIPAL CODE, ADOPTING BY REFERENCE THE 2016 EDITION OF THE CALIFORNIA BUILDING STANDARDS CODE, INCORPORATING THE 2016 CALIFORNIA BUILDING CODE, THE 2016 CALIFORNIA MECHANICAL CODE, THE 2016 CALIFORNIA ELECTRICAL CODE, THE 2016 CALIFORNIA RESIDENTIAL CODE, THE 2016 CALIFORNIA PLUMBING CODE, THE 2016 CALIFORNIA GREEN BUILDING STANDARDS CODE, THE 1997 EDITION OF THE UNIFORM HOUSING CODE, AND THE 1997 EDITION OF THE UNIFORM CODE FOR THE ABATEMENT OF DANGEROUS BUILDINGS; TOGETHER WITH CERTAIN AMENDMENTS THERETO.

WHEREAS, pursuant to Government Code Section 50022.1 *et seq.*, the City of Ontario, California ("City") may adopt by reference the 2016 Edition of the California Building Standards Code as provided in Titles 24 and 25 of the California Code of Regulations and other codes, including, without limitation, the Uniform Housing Code and the Uniform Code for the Abatement of Dangerous Buildings; and

WHEREAS, the California Building Standards Commission recently adopted the 2016 Edition of the California Building Standards Code; and

WHEREAS, California Health and Safety Code Sections 17958.7 and 18941.5 authorize cities to adopt the California Building Standards Code with modifications that are determined to be a reasonably necessary because of local climatic, geological, or topographical conditions; and

WHEREAS, prior to making modifications permitted under California Health and Safety Code Sections 17958.7 and 18941.5, the City Council is required to make express findings that such modifications are needed in accordance with California Health and Safety Code Sections 17958.7; and

WHEREAS, the City desires to adopt the California Building Standards Code with the necessary amendments to assure it is tailored to the particular safety needs of the City as required by its unique climatic, geological, and topographical conditions; and

WHEREAS, the City held a public hearing on November 1, 2016, at which time all interested persons had the opportunity to appear and be heard on the matter of adopting the Codes as amended herein; and

WHEREAS, all legal prerequisites to the adoption of this Ordinance have occurred.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, DOES ORDAIN AS FOLLOWS:

SECTION 1. Findings. The City Council hereby finds that the proposed amendments to Section 113.4 is necessary for administrative or procedural clarification and to establish administrative standards for the effective enforcement of the building standards of the City of Ontario and does not modify a building standard pursuant to California Health & Safety Code Section 17958, 17958.7, and/or 18941.5.

SECTION 2. Chapter 1 of Title 8 of the Ontario Municipal Code is amended in its entirety to read as follows:

Chapter 1 – Building Code

Section 8-1.01. Adoption of the Building Code

The 2016 Edition of the California Building Code, which incorporates and amends the 2015 Edition of the International Building Code, as published by the International Code Council, subject to the amendments set forth in this chapter, is hereby adopted by reference and made a part of this chapter as if fully set forth at length herein. One (1) copy of said code is on file in the office of the City Clerk for public review.

Section 8-1.02. Amendment: Section 113.4

Section 113.4 is added to the California Building Code to read as follows:

113.4 Ontario Building Appeals Board. The City Manager shall recommend to the City Council five (5) individuals desirous to serve on the Building Appeals Board who are qualified by experience and training to pass on matters pertaining to building construction and are not employees of the City. Each Board Member's term on the Building Appeals Board shall remain indefinite unless the Board Member resigns, or the City Council wishes to designate a new Board Member in its discretion. Should any Board Member be unable to continue serving on the Building Appeals Board, he or she shall submit a written resignation to the City Manager as soon as possible. The City Manager shall, in turn, present a recommended replacement to the City Council for appointment.

SECTION 3. Chapter 2 of Title 8 of the Ontario Municipal Code is amended in its entirety to read as follows:

Chapter 2 – Mechanical Code

Section 8-2.01. Adoption of the Mechanical Code

The 2016 Edition of the California Mechanical Code, which incorporates and amends the 2015 Edition of the Uniform Mechanical Code, as published by the International Association of Plumbing and Mechanical Officials, is hereby adopted by reference and made a part of this chapter as if fully set forth at length herein. One (1) copy of said code is on file in the office of the City Clerk for public review.

SECTION 4. Chapter 3 of Title 8 of the Ontario Municipal Code is amended in its entirety to read as follows:

Chapter 3 – Housing Code

Section 8-3.01. Adoption of Housing Code

The 1997 Edition of the Uniform Housing Code, as published by the International Conference of Building Officials, one (1) copy of which is on file for public review in the office of the City Clerk, is hereby adopted by reference and made a part of this chapter as if fully set forth at length herein.

SECTION 5. Chapter 4 of Title 8 of the Ontario Municipal Code is amended in its entirety to read as follows:

Chapter 4 – Electrical Code

Section 8-4.01. Adoption of the Electrical Code

The 2016 Edition of the California Electrical Code, which incorporates and amends the 2014 Edition of the National Electrical Code, as published by the National Fire Protection Association, is hereby adopted by reference and made a part of this chapter as if fully set forth at length herein. One (1) copy of said code is on file in the office of the City Clerk for public review.

SECTION 6. Chapter 5 of Title 8 of the Ontario Municipal Code is hereby amended in its entirety to read as follows:

Chapter 5 – Residential Code

Section 8-5.01. Adoption of the Residential Code

The 2016 Edition of the California Residential Code, which incorporates and amends the 2015 Edition of the International Residential Code, as published by the International Code Council, is hereby adopted by reference and made a part of this chapter as if fully set forth at length herein. One (1) copy of said code is on file in the office of the City Clerk for public review.

SECTION 7. Chapter 6 of Title 8 of the Ontario Municipal Code is amended in its entirety to read as follows:

Chapter 6 – General Provisions

Section 8-6.01. Fees

Fees for any permit, license or other approval issued pursuant to any of the codes adopted by this title shall be as set forth by resolution of the City Council.

Section 8-6.02. Violations

Violations of any provision of any of the codes adopted by this title shall subject the violator to any or all of the penalties provided in this code or applicable law.

SECTION 8. Chapter 7 of Title 8 of the Ontario Municipal Code is hereby amended in its entirety to read as follows:

Chapter 7 – Plumbing Code

Section 8-7.01. Adoption of the Plumbing Code

The 2016 Edition of the California Plumbing Code, which incorporates and amends the 2015 Uniform Plumbing Code, as published by the International Association of Plumbing & Mechanical Officials, is hereby adopted by reference and made a part of this chapter as if fully set forth at length herein. One (1) copy of said code is on file in the office of the City Clerk for public review.

SECTION 9. Chapter 11 of Title 8 of the Ontario Municipal Code is hereby amended in its entirety to read as follows:

Chapter 11 – Dangerous Building Code

Section 8-11.01. Adoption of Uniform Code for the Abatement of Dangerous Buildings

The 1997 Edition of the Uniform Code for the Abatement of Dangerous Buildings, as published by the International Conference of Building Officials, is hereby adopted by reference and made a part of this chapter as if fully set forth at length herein. One (1) copy of said code is on file in the office of the City Clerk for public review.

SECTION 10. Chapter 12 of Title 8 of the Ontario Municipal Code is hereby amended in its entirety to read as follows:

Chapter 12 – California Green Building Standards Code

Section 8-12.01. Adoption of California Green Building Standards Code

The 2016 Edition of the California Green Buildings Standards Code is hereby adopted by reference and made a part of this chapter as if fully set forth as length herein. One (1) copy of said code is on file in the office of the City Clerk for public review.

SECTION 11. Repeal of Conflicting Ordinances. Ordinance No. 2977, all former ordinances or parts thereof conflicting or inconsistent with the provisions of this ordinance, as adopted and amended herein, are hereby repealed.

SECTION 12. Severability. If any section, subsection, subdivision, paragraph, sentence, clause or phrase added by this Ordinance, or any part thereof, is for any reason held to be unconstitutional or invalid or 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 passed each section, subsection, subdivision, paragraph, sentence, clause or phrase thereof irrespective of the fact that any one or more subsections, subdivisions, paragraphs, sentences, clauses or phrases are declared unconstitutional, invalid or ineffective.

SECTION 13. CEQA. The City Council finds that the changes made to the California Building Code and the International Building Code are enacted to mitigate threats to public peace, health and safety from earthquakes, high winds and fire. Moreover, the amendments are substantially similar to those provisions previously enacted and contained in the current version of the City's Building Code. Therefore, it can be seen with certainty that the adoption of this Ordinance will not have a significant adverse effect on the environment and is therefore exempt from the California Environmental Quality Act (CEQA) pursuant to section 15061(b)(3) of the CEQA Guidelines. Staff is directed to file a Notice of Exemption within five (5) days of the adopting of this Ordinance.

SECTION 14. 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 15th day of November 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. 3063 was duly introduced at a regular meeting of the City Council of the City of Ontario held November 1, 2016 and adopted at the regular meeting held November 15, 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. 3063 duly passed and adopted by the Ontario City Council at their regular meeting held November 15, 2016 and that Summaries of the Ordinance were published on November 8, 2016 and November 22, 2016, in the Inland Valley Daily Bulletin newspaper.

SHEILA MAUTZ, CITY CLERK

(SEAL)

CITY OF ONTARIO

Agenda Report
November 15, 2016

SECTION:
CONSENT CALENDAR

SUBJECT: FISCAL YEAR 2016-17 FIRST BUDGET UPDATE REPORT

RECOMMENDATION: That the City Council approve the budget adjustments and recommendations as listed in the Fiscal Year 2016-17 First Budget Update Report.

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

FISCAL IMPACT: The recommended actions will affect several fund budgets as outlined in the FY 2016-17 First Budget Update Report and supporting schedules.

BACKGROUND: This first budget update report for Fiscal Year 2016-17 reflects the Administrative Services Agency's continued efforts to provide timely, accurate, and understandable financial information to assist the City Council with decision making and achieve their core goals. All funds have been reviewed in preparing this report. The emphasis of this report is on the General Fund, which funds the majority of government services including public safety, recreation, library, museum, parks, building, and planning. This report also discusses prior year results, budget trends, and the economic outlook that may impact the City's resources.

The primary purposes of this report are to:

- Provide a reconciliation of budgeted-to-actual financial data from the prior fiscal year;
- Address annual carryforward appropriations across all funds;
- Recognize budgetary carryforward amounts for prior year approved Capital Improvement Projects and Grant appropriations, which are ongoing;
- Revise the City's budget to reflect the City Council's actions taken since the beginning of the current fiscal year;
- Recommend personnel and organizational changes to enhance program operations and efficiency;
- Recommend budget changes to align the budget with projected year-end results;
- Recommend budget adjustments that are consistent with City Council goals and objectives; and

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

Prepared by: Doreen M. Nunes

Department: Fiscal Services

City Manager
Approval: 

Submitted to Council/O.H.A. 11/15/2016

Approved: _____

Continued to: _____

Denied: _____

10

- Comment on significant budget and economic trends which may impact next fiscal year's budget development.

Fiscal Year 2015-16 Results

The General Fund activity for the year resulted in a favorable balance of \$22.1 million. The positive year-end balance was primarily the result of revenue increases in sales tax of \$11.0 million and property taxes of \$12.1 million (including a \$10.5 million one-time receipt of redevelopment property taxes). In addition to the one-time property tax revenues of \$10.5 million, a recurring loss of sales tax revenues of approximately \$7.9 million is anticipated in the near future due to a relocation of a large business. After these two adjustments, the estimated annual budget surplus that is available for future recurring appropriations is \$3.7 million.

First Budget Update Recommendations

First Budget Update recommendations are routine in nature and comprised predominately by City Council actions taken since the beginning of the fiscal year, encumbrance carryforward items to rollover purchase orders that have not yet been expended, and Capital Improvement Program (CIP) carryforward items to rollover budget from approved projects that have not yet been completed. For the General Fund, these actions will bring the General Fund estimated available ending fund balance to \$37,644,664; this amount achieves the 18% goal set by City Council.

Major items proposed for the First Budget Update in the General Fund are: \$10.5 million transfer of one-time redevelopment property tax monies to replenish the Information Technology fund for the fiber optics project; \$3.7 million transfer to the City Facilities reserve (funding from the positive year-end result); an additional \$2.5 million for law enforcement personnel and related costs for operations at the Ontario International Airport (ONT); and \$2.2 million for start-up costs, including personnel and training, related to fire safety operations at ONT. In addition, General Fund budget updates include a revised reimbursable revenue estimate of approximately \$9.3 million for law enforcement and fire safety airport operations, including general administrative and overhead reimbursable costs.

Noteworthy budget adjustments in Other Funds include: \$1.5 million additional appropriations to the Mill Creek Wetlands funded by the award of a California State water grant; \$1.0 million increase to the South Milliken Avenue Grade Separation Project funded by a California State Section 190 grant award; and \$675,000 for law enforcement armory and related equipment funded by asset seizure funds.

Interim budget updates also present recommendations for personnel and organizational changes necessary to enhance program operations and efficiency. Current recommendations include organizational changes to the Administrative Services, Information Technology, Fire Department and City Administration agencies. In addition, recommended personnel include additional staffing for the IT and law enforcement airport operations, as well as personnel for start-up fire safety airport operations. The proposed recommendations will result in a net increase of 46 positions (of which 35 are police and fire sworn positions) and an overall annual increase of \$8.6 million across all funds. Annually, the impact to General Fund is an increase of \$8.3 million (offset by an estimated \$7.5 million reimbursement for law enforcement and fire safety airport operations) and an increase of approximately \$327,000 across other funds.

Economic Outlook

The local economy is continuing to show signs of improvement, with continued growth in retail and motor vehicles sales as well as employment, combined with strong gains in the housing market. Sales tax revenue for the second quarter 2015 grew 15.0% compared to the same quarter a year ago, with office equipment and new auto sales continuing to be the highest producing sectors, as well as light

industry. Although the City has experienced strong gains in sales tax revenues, we anticipate a decline or flat growth for the calendar year 2017 due to a loss of major sales tax producers in the City. The Consumer Confidence Index continues to show improvement with a reported high of 104.1 for September 2016; an increase of 2.3 from the previous month's reading.

Home values are improving as demonstrated by the moderate increase of 3.6% compared to the prior year in the median sale price of single-family homes in the San Bernardino County for September 2016. Home sales experienced a major gain of 8.1% for September. This increase is primarily the result of home buyers being pushed out of the Los Angeles and Orange County housing market due to the higher home prices reflected in those regions.

Gross Domestic Product (GDP), the broadest measure of economic output, advanced at a 2.9% annual rate in the third quarter, primarily due to an increase in consumer spending. In addition, the national labor market continues to create enough jobs to keep up with the population and labor-force growth; job gains have averaged 182,000 per month for 2016. This is reflected in a steady unemployment rate for the State of California and the Inland Empire region.

CalPERS

The California State Public Employees Retirement System (CalPERS) is considerably underfunded, primarily due to the lower than projected earning rates combined with significant investment losses incurred during the Great Recession. All of this has contributed to dramatic increases to the City's CalPERS contribution rates. With the recent adoption of amortization and smoothing policy changes by the CalPERS Board to address the severity of the underfunding, significant employer contribution rate increases have begun in this fiscal year. CalPERS' proposed rates will increase by approximately 50% by Fiscal Year 2019-20. These rates are dependent upon CalPERS earning a 7.5% return on their investments in the future.

Conclusion

While the City is experiencing improvement during this economic recovery, challenges still remain. The economy is projected to grow slowly over the next couple of years due to a continued stagnant wage growth, the potential negative impact to the economy resulting from the unstable global economy, and the Federal Reserve's current actions to taper back its bond purchases (quantitative easing) which has kept borrowing costs low. In addition, Ontario needs to be cognizant of a potential decline or flat growth in sales tax revenues in 2017 due to the relocation of major sales tax generators out of the City. This is only partially offset by new business attraction; and the City will continue its economic development strategies to bring new businesses and jobs to Ontario.

The Adopted Operating Budget for FY 2016-17, as modified through this First Budget Update, reflects the City Council's continued commitment to foster steady, controlled growth and to provide the highest level of service to the community within the City's fiscal constraints. With the City Council's leadership and their prudent fiscal policies, the City's long-term fiscal health will further solidify its standing as the economic leader in the Inland Empire, and a formidable player in California and the nation.

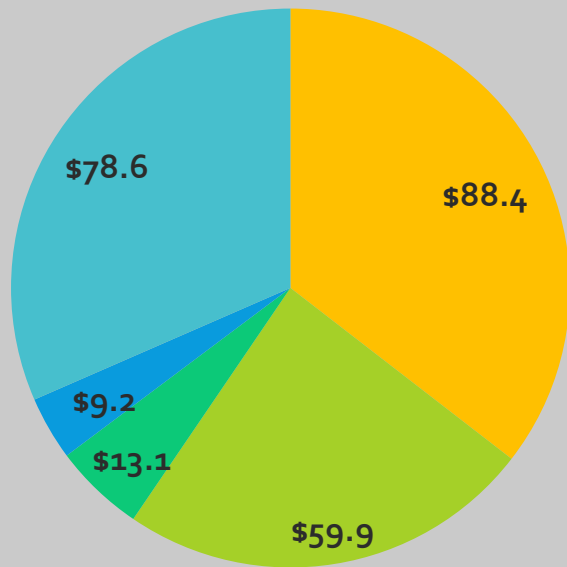


FY 2016-17 FIRST BUDGET UPDATE

November 15, 2016

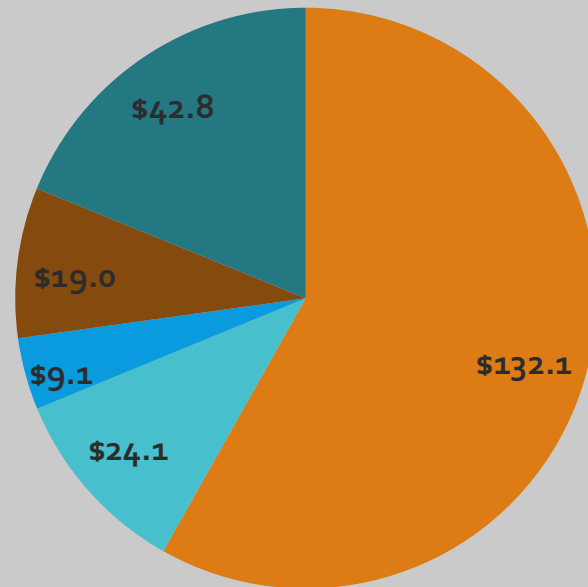
FY 2015-16 YEAR-END RESULTS GENERAL FUND

Total Revenue \$249.2 m



- Sales Tax
- Property Tax
- Occupancy Tax
- Development Related
- Other & Transfers-in

Total Expenditures \$227.1 m



- Personnel Services
- Other & Transfers-out
- Internal Service
- Operating Expenditures
- Contractual Services
- Development Related

Net
Results
\$22.1 m



ECONOMIC NEWS

Gross Domestic Product (GDP) 2016	Consumer Confidence Index (CCI) 2016	Purchasing Manufacturing Index (PMI) 2016	Unemployment Rate Sept 2016
Q1 0.8%	July 97.3	<div>U.S. 52.6</div> <div>I.E. 46.5</div>	U.S. 5.0% ▲
Q2 1.4%	Aug 101.8	<div>Aug 49.4</div> <div>60.0</div>	CA 5.5% ↔
Q3 2.9%	Sept 104.1	<div>Sept 51.5</div> <div>56.2</div>	I.E. 6.2% ↔

September-16	Median Sold Price of Existing Single-Family Homes			Sales
State/Region/County	Sep-16	Sep-15	YTY% Chg	YTY% Chg
Los Angeles Metro	\$463,330	\$440,870	5.1%	2.8%
Inland Empire	\$319,350	\$289,690	10.2%	8.1%
Southern California				
Los Angeles	\$546,920	\$517,750	5.6%	2.5%
Orange	\$739,000	\$705,000	4.8%	-0.8%
Riverside	\$352,250	\$329,000	7.1%	11.1%
San Bernardino	\$254,330	\$229,890	10.6%	3.6%
San Diego	\$569,000	\$525,000	8.4%	6.4%
Ventura	\$629,420	\$599,710	5.0%	-14.2%

Source: California Association of Realtors

Economists react to Third-Quarter GDP (Advance Estimate): "The U.S. Is Roughly on Track" – The Wall Street Journal

The U.S. unemployment rate in September slightly increased from 4.9% and though the Inland Empire PMI decreased, the index is still above 50 which indicates a growing sector. Modest improvement in economic activity is expected through the end of the year.

FY 2016-17

GENERAL
FUND

FIRST
BUDGET
UPDATE

Total Revenue Adopted Budget	\$205,169,000
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<u>First Budget Update - Revenue Adjustments</u>	
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Airport Operations & Bond Issuance	\$ 10,275,672
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Transfers-in & Other	<u>268,844</u>
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Revised Revenue Budget	<u>\$215,713,516</u>
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Total Expenditure Adopted Budget	\$205,288,040
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<u>First Budget Update - Expenditure Adjustments</u>	
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Public Safety	\$ 1,407,975
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Economic Development	114,500
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Municipal Services-City Facilities	150,000
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Community & Public Services	223,690
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Citywide Personnel Changes	3,824,165
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FY2015-16 Carryforward Encumbrances	3,785,233
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Transfers-out*	<u>14,208,500</u>
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Revised Expenditure Budget	<u>\$229,002,103</u>
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**Includes one-time transfers-out of \$10.5m to replenish IT Fiber Optics project and \$3.7m to City Facilities reserve.*

FY 2016-17 CITY BUDGET BY FUND TYPE

First
Budget
Update

Other
Funds
Items



**Mill Creek Wetlands
Reimbursement \$1.5 m**



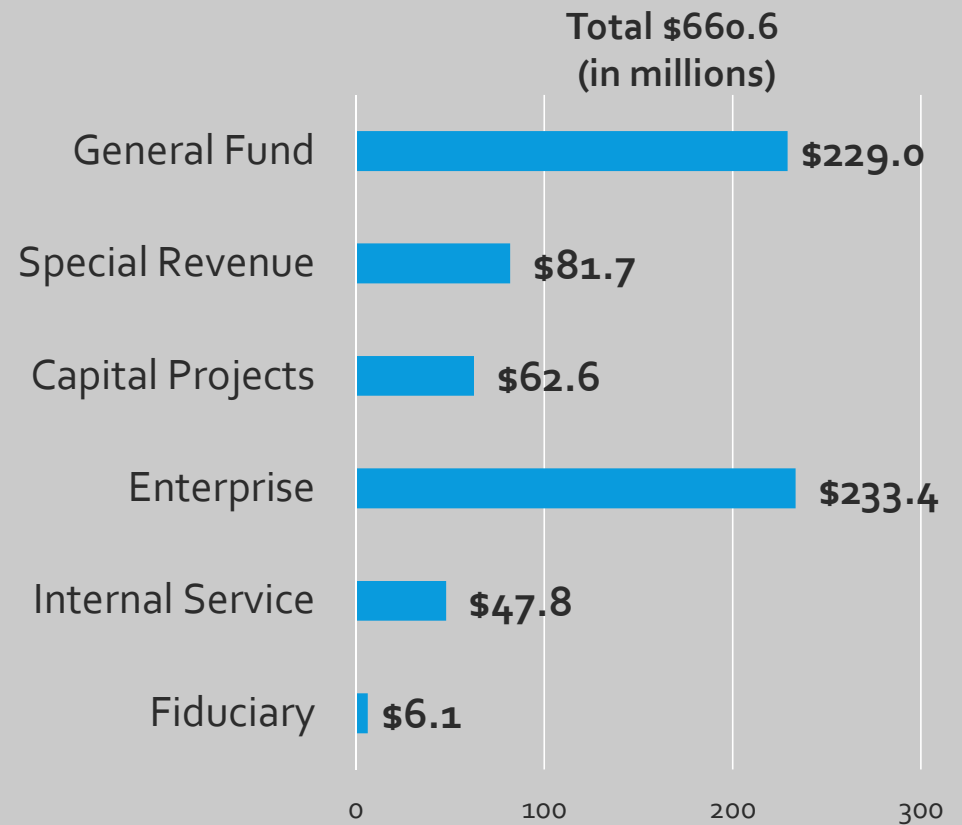
**South Milliken Grade
Separation
Reimbursement \$1.0 m**



**Police Grant Awards
\$845,113**



**Fire Grant Awards
\$421,852**



Additions

- Accounts Payable Technician (1)
- Purchasing Team Leader (1)
- Principal IT Analyst (3)
- IT Specialist (2)
- Police Officer (5)
- Police Corporal (1)
- Police Sergeant (1)
- Senior Police Dispatcher (8)
- Fire Captain (5)
- Fire Investigation Supervisor (1)
- Deputy Fire Chief (1)
- Fire Engineer (9)
- Fire Fighter (12)

Deletions

- Purchasing Assistant (1)
- Database Administrator (1)
- Senior Systems Analyst (2)

Reclass

- Senior Legislative Analyst to Government Affairs Director
- IT Operations Manager to IT Operations Director
- IT Systems Manager to IT Systems Director
- Broadband Operations Manager to Broadband Operations Director
- Development Manager to Design & Construction Director

**FY 2016-17
First Budget Update
Personnel Changes**

City of Ontario
Summary of General Fund Recommended Revenue Adjustments
Fiscal Year 2016-17
First Budget Update

Revenue Source	Original Budget	Current Budget	Recommended First Budget Update Adjustments	Current Budget After Adjustments	Actuals As of 10/31/2016	Percent of Budget Received
Sales Tax	\$ 74,000,000	\$ 74,000,000	\$ -	\$ 74,000,000	\$ 11,646,049	15.7%
Business License Tax	6,450,000	6,450,000	-	6,450,000	306,071	4.7%
Occupancy Tax	12,500,000	12,500,000	-	12,500,000	3,582,120	28.7%
Parking Tax	2,800,000	2,800,000	-	2,800,000	804,881	28.7%
Franchises	3,250,000	3,250,000	-	3,250,000	-	0.0%
Property Tax	51,000,000	51,000,000	-	51,000,000	-	0.0%
Development Related	6,785,000	6,785,000	133,844	6,918,844	3,582,204	51.8%
Recreation Programs	901,000	901,000	-	901,000	341,504	37.9%
Interest & Rentals	1,825,140	1,825,140	-	1,825,140	-	0.0%
Miscellaneous Revenues	7,971,169	7,971,169	9,269,672	17,240,841	1,543,760	9.0%
Total Recurring Revenues	<u>\$ 167,482,309</u>	<u>\$ 167,482,309</u>	<u>\$ 9,403,516</u>	<u>\$ 176,885,825</u>	<u>\$ 21,806,589</u>	12.3%
Reimbursables	<u>2,648,021</u>	<u>2,648,021</u>	<u>1,006,000</u>	<u>3,654,021</u>	<u>2,669,995</u>	73.1%
Total General Fund Revenues	<u><u>\$ 170,130,330</u></u>	<u><u>\$ 170,130,330</u></u>	<u><u>\$ 10,409,516</u></u>	<u><u>\$ 180,539,846</u></u>	<u><u>\$ 24,476,584</u></u>	13.6%

City of Ontario
Summary of General Fund Recommended Expenditure Adjustments
Fiscal Year 2016-17
First Budget Update

	Expenditures
Adopted Budget	\$ 199,258,107
Current Budget	\$ 199,258,107
Recommended Adjustments:	
Airport Fire Operations Start-Up Costs (<i>New, non-personnel related</i>)	853,260
Additional Citywide heating, ventilation, and air conditioning repairs	150,000
Citywide graffiti removal services	120,000
Ontario Ranch median and parkway landscape maintenance services (Funded from CFD revenues)	70,000
Enhanced Infrastructure Financing District feasibility analysis	64,500
City's 125th Celebration events	50,000
Airport-related handheld radios: Police (7) for new positions	40,250
Part-Time Office Assistant for Library	18,690
Materials and contract services for museum exhibits	15,000
Vehicle (1) New Fire position	70,000
Airport-related vehicles: Police (7) and Fire (1) for new positions	444,465
FY 2015-16 Carryforward Encumbrances	3,785,233
Recommended personnel changes	443,615
Recommended personnel changes Airport-related:	
Police	2,098,605
Fire	1,281,945
Total Recommended Adjustments	<u>\$ 9,505,563</u>
Recommended Budget	<u><u>\$ 208,763,670</u></u>

City of Ontario
Summary of General Fund Recommended Transfer Adjustments
Fiscal Year 2016-17
First Budget Update

	Operating Transfers-In	Operating Transfers-Out
Adopted Budget	\$ 35,038,670	\$ 6,029,933
Current Budget	\$ 35,038,670	\$ 6,029,933
Recommended Adjustments:		
Contribution to General Fund (Transfer-in from Fund 064)	\$ 135,000	\$ -
Historic Preservation Grant-Ontario Int'l Airport historic review - City Contribution (Transfer-out to Fund 015)		8,500
City Facilities Reserve (Transfer-out to Fund 098)		3,700,000
Replenish IT Fund for Fiber Optics Project (Transfer-out to Fund 035)		10,500,000
Total Recommended Adjustments	\$ 135,000	\$ 14,208,500
Recommended Budget	\$ 35,173,670	\$ 20,238,433

SCHEDULE IV

City of Ontario
General Fund Balance with Recommended Adjustments
Fiscal Year 2016-17
First Budget Update

General Fund	Actual 2015-16 Unaudited	Adopted 2016-17 Budget	Prior Budget Update Approved Adjustments	Current 2016-17 Budget	First Budget Update Recommended Adjustments	Recommended Budget 2016-17
Total Revenues	\$ 196,786,574	\$ 170,130,330	\$ -	\$ 170,130,330	\$ 10,409,516	\$ 180,539,846
Total Expenditures	(187,763,354)	(199,258,107)	-	(199,258,107)	(9,505,563)	(208,763,670)
Excess (Deficiency) of Revenues Over (Under) Expenditures	\$ 9,023,220	\$ (29,127,777)	\$ -	\$ (29,127,777)	\$ 903,953	\$ (28,223,824)
Other Sources (Uses):						
Operating Transfer In	\$ 52,543,612	\$ 35,038,670	\$ -	\$ 35,038,670	\$ 135,000	\$ 35,173,670
Operating Transfer Out	(35,535,569)	(6,029,933)	-	(6,029,933)	(14,208,500)	(20,238,433)
Total Other Sources (Uses)	\$ 17,008,043	\$ 29,008,737	\$ -	\$ 29,008,737	\$ (14,073,500)	\$ 14,935,237
Excess (Deficiency) of Revenues and Other Financing Sources Over (Under) Expenditures and Other Financing Uses	\$ 26,031,263	\$ (119,040)	\$ -	\$ (119,040)	\$ (13,169,547)	\$ (13,288,587)
Fund Balance, Beginning of Year	58,807,530	84,838,793	-	84,838,793	-	84,838,793
Fund Balance, End of Year	<u>\$ 84,838,793</u>	<u>\$ 84,719,753</u>	<u>\$ -</u>	<u>\$ 84,719,753</u>	<u>\$ (13,169,547)</u>	<u>\$ 71,550,206</u>
FUND BALANCE						
Non-Spendable:						
Inventory	\$ 148,673	\$ 148,673	\$ -	\$ 148,673	\$ -	\$ 148,673
Advanced to Other Funds (RDA Loan Repayment)	3,500,000	3,500,000	-	3,500,000	-	3,500,000
Advanced to Other Funds (OIAA Advance)	30,000,000	30,000,000	-	30,000,000	-	30,000,000
Long-Term Receivable	40,000	40,000	-	40,000	-	40,000
Prepays	216,869	216,869	-	216,869	-	216,869
Total Non-Spendable	\$ 33,905,542	\$ 33,905,542	\$ -	\$ 33,905,542	\$ -	\$ 33,905,542
Assigned:						
Continuing Appropriations	3,785,233	3,785,233	-	3,785,233	(3,785,233)	-
18% Stabilization Plan	47,148,018	47,028,978	-	47,028,978	(9,384,314)	37,644,664
Total Assigned	\$ 50,933,251	\$ 50,814,211	\$ -	\$ 50,814,211	\$ (13,169,547)	\$ 37,644,664
Total Fund Balance (Non-Spendable, Assigned)	84,838,793	84,719,753	-	84,719,753	(13,169,547)	71,550,206
Total Available for Contingencies and Emergencies	<u>\$ 50,933,251</u>	<u>\$ 50,814,211</u>	<u>\$ -</u>	<u>\$ 50,814,211</u>	<u>\$ (13,169,547)</u>	<u>\$ 37,644,664</u>

City of Ontario
Unreserved Fund Balance with Recommended Adjustments for All Funds
Fiscal Year 2016-17
First Budget Update

							Recommended			
Funds/Sources	Total Unreserved Fund Balance July 1, 2016	Current Budget Control					Estimated Total Unreserved Fund Balance June 30, 2017	First Budget Update Adjustments Increase(Decrease) to Fund Balance Net Adjustments	Adjusted Unreserved Fund Balance June 30, 2017	
		Revenues	Operating Transfers-In	Operating Transfers-Out	Total Available	Expenditures				
General Fund (incl. encumbrances)										
001 General Fund	\$ 50,933,251	\$ 170,130,330	\$ 35,038,670	\$ 6,029,933	\$ 250,072,318	\$ 199,258,107	\$ 50,814,211	\$ (13,169,547)	\$ 37,644,664	
Total General Fund	<u>\$ 50,933,251</u>	<u>\$ 170,130,330</u>	<u>\$ 35,038,670</u>	<u>\$ 6,029,933</u>	<u>\$ 250,072,318</u>	<u>\$ 199,258,107</u>	<u>\$ 50,814,211</u>	<u>\$ (13,169,547)</u>	<u>\$ 37,644,664</u>	
Special Revenue Funds										
002 Quiet Home Program	\$ -	\$ 1,052,902	\$ -	\$ -	\$ 1,052,902	\$ 1,052,902	\$ -	\$ -	\$ -	
003 Gas Tax	4,366,346	3,999,496	900,000	2,503,722	6,762,120	3,535,034	3,227,086	(2,093,892)	1,133,194	
004 Measure I	6,496,669	2,918,261	-	-	9,414,930	3,986,000	5,428,930	(3,865,150)	1,563,780	
005 Measure I -Valley Major Projects	-	-	-	-	-	-	-	-	-	
007 Park Impact/Quimby	(9,849,920)	-	-	-	(9,849,920)	-	(9,849,920)	-	(9,849,920)	
008 C.D.B.G.	-	2,901,038	-	-	2,901,038	2,901,038	-	-	-	
009 HOME Grants	-	1,765,597	-	-	1,765,597	1,765,597	-	-	-	
010 Asset Seizure	4,834,890	-	-	-	4,834,890	595,821	4,239,069	(1,039,662)	3,199,407	
011 Neighborhood Stabilization	-	-	-	-	-	-	-	-	-	
013 A.D. Administration	993,695	17,479	-	-	1,011,174	274,088	737,086	-	737,086	
014 Mobile Source Air	1,035,678	208,305	-	12,704	1,231,279	34,174	1,197,105	(679,602)	517,503	
015 General Fund Grants	-	24,000	-	-	24,000	24,000	-	-	-	
018 Building Safety	24,777	910,000	-	54,611	880,166	1,139,744	(259,578)	-	(259,578)	
019 Parkway Maintenance	938,332	597,633	301,153	222,333	1,614,785	738,575	876,210	-	876,210	
021 Storm Drain Fee District	68,846	597	-	-	69,443	-	69,443	-	69,443	
060 OMC CFD #21-Parkside Services	43,990	41,258	-	13,500	71,748	27,500	44,248	-	44,248	
061 NMC CFD #31-Lennar Services	66,251	200,212	-	193,100	73,363	6,900	66,463	-	66,463	
062 NMC CFD #23-Park Place Services	27,063	375,000	-	370,000	32,063	5,000	27,063	-	27,063	
063 NMC CFD #24-Park Place Facilities	20,915	871,790	-	-	892,705	-	892,705	(7,000)	885,705	
064 NMC CFD #27-New Haven Services	9,089	140,080	-	-	149,169	-	149,169	(140,000)	9,169	
065 NMC CFD #28-New Haven Services	-	190,000	-	-	190,000	-	190,000	(7,000)	183,000	
069 NMC CFD #20-Walmart Services	44,660	26,101	-	4,800	65,961	21,000	44,961	-	44,961	
048 Ontario Housing Authority	2,730,857	518,426	-	-	3,143,839	690,578	2,453,261	(61,828)	2,391,433	
070 Street Light Maintenance	2,048,262	496,130	37,280	105,444	2,570,672	354,436	2,216,236	-	2,216,236	
071 CFD #10-Airport Tower Services	-	11,000	-	11,000	-	-	-	-	-	
072 NMC CFD #9-Edenglen Services	3,368	547,100	-	534,700	15,768	12,400	3,368	-	3,368	
076 Facilities Maintenance	-	-	750,000	-	750,000	750,000	-	-	-	
077 Storm Drain Maintenance	965,352	1,243,533	-	-	2,208,885	1,676,485	532,400	-	532,400	
114 Historic Preservation	200,810	1,747	-	-	202,557	-	202,557	-	202,557	
119 NMC Public Services	4,312,845	35,110	-	-	4,347,955	-	4,347,955	-	4,347,955	
Total Special Revenue Funds	<u>\$ 19,382,775</u>	<u>\$ 19,092,795</u>	<u>\$ 1,988,433</u>	<u>\$ 4,025,914</u>	<u>\$ 36,427,089</u>	<u>\$ 19,591,272</u>	<u>\$ 16,835,817</u>	<u>\$ (7,894,134)</u>	<u>\$ 8,941,683</u>	
Capital Project Funds										
016 Ground Access	\$ 7,552,993	\$ 1,683,572	\$ -	\$ -	\$ 9,236,565	\$ 1,614,127	\$ 7,622,438	\$ -	\$ 7,622,438	
017 Capital Projects	28,072,389	-	1,969,500	-	30,041,889	1,969,500	28,072,389	(15,704,657)	12,367,732	
101 Law Enforcement Impact	(3,929,711)	9,396	-	-	(3,920,315)	-	(3,920,315)	-	(3,920,315)	
106 Solid Waste Impact	2,293,212	18,912	-	-	2,312,124	100,000	2,212,124	-	2,212,124	

City of Ontario
Unreserved Fund Balance with Recommended Adjustments for All Funds
Fiscal Year 2016-17
First Budget Update

Funds/Sources	Total Unreserved Fund Balance July 1, 2016	Current Budget Control					Estimated Total Unreserved Fund Balance June 30, 2017	Recommended First Budget Update Adjustments Increase(Decrease) to Fund Balance Net Adjustments	Adjusted Unreserved Fund Balance June 30, 2017
		Revenues	Operating Transfers-In	Operating Transfers-Out	Total Available	Expenditures			
107 General Facility Impact	2,129,434	17,397	-	-	2,146,831	-	2,146,831	-	2,146,831
108 Library Impact	1,391,461	10,777	-	-	1,402,238	-	1,402,238	-	1,402,238
109 Public Meeting Impact	2,289,006	18,160	-	-	2,307,166	-	2,307,166	(30,183)	2,276,983
110 Aquatics Impact	217,744	1,200	-	-	218,944	-	218,944	-	218,944
112 Species Habitat Impact	1,659,700	12,102	-	-	1,671,802	-	1,671,802	-	1,671,802
120 Affordability In-Lieu	5,344,884	37,781	-	-	5,382,665	-	5,382,665	-	5,382,665
170 OMC - Regional Streets	7,316,489	88,414	-	-	7,404,903	-	7,404,903	(6,213,920)	1,190,983
171 OMC - Local Adjacent Streets	9,909,858	34,184	-	-	9,944,042	-	9,944,042	(5,624,295)	4,319,747
172 OMC - Regional Storm Drains	1,208,527	69,447	-	-	1,277,974	-	1,277,974	-	1,277,974
173 OMC - Local Adjacent Storm Drain	22,757,424	146,324	-	-	22,903,748	30,000	22,873,748	(8,511,749)	14,361,999
174 OMC - Regional Water	11,166,997	94,047	-	-	11,261,044	-	11,261,044	-	11,261,044
175 OMC - Local Adjacent Water	1,144,173	23,541	-	-	1,167,714	-	1,167,714	-	1,167,714
176 OMC - Regional Sewer	2,208,500	14,986	-	-	2,223,486	-	2,223,486	-	2,223,486
177 OMC - Local Adjacent Sewer	3,662,457	22,245	-	-	3,684,702	-	3,684,702	(296,848)	3,387,854
178 OMC - Fire Impact	-	-	-	-	-	-	-	(2,081,468)	(2,081,468)
180 OMC - Regional Streets	1,357,143	10,393	-	-	1,367,536	-	1,367,536	(2,434,314)	(1,066,778)
181 NMC - Local Adjacent Streets	1,622,699	19,084	-	-	1,641,783	-	1,641,783	-	1,641,783
182 NMC - Regional Storm Drains	385,552	8,679	-	-	394,231	-	394,231	-	394,231
183 NMC - Local Adjacent Storm Drain	3,495,515	21,491	-	-	3,517,006	-	3,517,006	-	3,517,006
184 NMC - Regional Water	-	3,197	-	-	3,197	-	3,197	-	3,197
185 NMC - Local Adjacent Water	1,653,710	8,388	-	-	1,662,098	-	1,662,098	-	1,662,098
186 NMC - Regional Sewer	184,570	1,559	-	-	186,129	-	186,129	-	186,129
187 NMC - Local Adjacent Sewer	222,419	2,282	-	-	224,701	-	224,701	-	224,701
188 NMC - Local Regional Fiber	-	258	-	-	258	-	258	-	258
189 NMC - Local Adjacent Fiber	341,305	1,765	-	-	343,070	-	343,070	-	343,070
190 NMC - Fire Impact	8,054,432	637	-	-	8,055,069	7,051,360	1,003,709	(197,695)	806,014
501 CFD #9-Edenglen	-	-	-	-	-	-	-	-	-
502 CFD #10-OAT	150	-	-	-	150	-	150	-	150
503 CFD #11-Armada	27,371	-	-	-	27,371	-	27,371	-	27,371
504 CFD #21-Ontario Parkside	74,846	-	-	-	74,846	-	74,846	-	74,846
505 CFD #13-Commerce Center	58,441	-	-	-	58,441	-	58,441	-	58,441
508 CFD #20-Walmart	-	-	-	-	-	-	-	-	-
509 CFD #23 & #24-Park Place Services	78,131	-	-	-	78,131	-	78,131	-	78,131
510 NMC CFD #27-New Haven Services	57,222	-	-	-	57,222	-	57,222	-	57,222
511 Richland Countryside CFD	29,683	-	-	-	29,683	-	29,683	-	29,683
512 NMC CFD #19-Forestar Services	5,822	-	-	-	5,822	-	5,822	-	5,822
513 NMC CFD #1-Lennar Services	-	-	-	-	-	-	-	-	-
514 NMC CFD #2-Archibald/Schaefer Services	2,463	-	-	-	2,463	-	2,463	-	2,463
515 NMC CFD #37-Park & Turner NE Services	29,908	-	-	-	29,908	-	29,908	-	29,908
Total Capital Project Funds	\$ 124,076,919	\$ 2,380,218	\$ 1,969,500	\$ -	\$ 128,426,637	\$ 10,764,987	\$ 117,661,650	\$ (41,095,129)	\$ 76,566,521

City of Ontario
Unreserved Fund Balance with Recommended Adjustments for All Funds
Fiscal Year 2016-17
First Budget Update

Funds/Sources	Total Unreserved Fund Balance July 1, 2016		Current Budget Control					Estimated Total Unreserved Fund Balance June 30, 2017	Recommended First Budget Update Adjustments Increase(Decrease) to Fund Balance Net Adjustments	Adjusted Unreserved Fund Balance June 30, 2017
			Revenues	Operating Transfers-In	Operating Transfers-Out	Total Available	Expenditures			
Enterprise Funds										
024 Water Operating	55,280,575	*	\$ 53,932,235	\$ -	\$ 29,740,596	\$ 79,472,214	\$ 41,941,978	\$ 37,530,236	\$ (483,702)	\$ 37,046,534
025 Water Capital	55,029,373	*	11,147,542	18,000,000	3,973,053	80,203,862	16,324,903	63,878,959	(48,493,823)	15,385,136
026 Sewer Operating	25,835,977	*	23,751,780	-	9,759,400	39,828,357	16,682,916	23,145,441	(149,358)	22,996,083
027 Sewer Capital	18,572,536	*	164,174	4,000,000	854,686	21,882,024	4,745,071	17,136,953	(670,210)	16,466,743
029 Solid Waste	32,878,724	*	32,416,408	-	7,935,021	57,360,111	29,955,343	27,404,768	(2,870,874)	24,533,894
031 Solid Waste Facilities	643,989	*	5,602	-	-	649,591	-	649,591	(63,838)	585,753
035 I.T. Fiber	4,132		130,000	-	-	134,132	10,018,168	(9,884,036)	3,280,851	(6,603,185)
Total Enterprise Funds	<u>\$ 188,245,306</u>		<u>\$ 121,547,741</u>	<u>\$ 22,000,000</u>	<u>\$ 52,262,756</u>	<u>\$ 279,530,291</u>	<u>\$ 119,668,379</u>	<u>\$ 159,861,912</u>	<u>\$ (49,450,954)</u>	<u>\$ 110,410,958</u>
Internal Service Funds										
032 Equipment Services	40,092,705		\$ 11,223,425	\$ -	\$ -	\$ 51,316,130	\$ 18,775,154	\$ 32,540,976	\$ (4,892,834)	\$ 27,648,142
033 Self Insurance	12,856,731		9,414,726	-	-	22,271,457	7,378,168	\$ 14,893,289	-	14,893,289
034 Information Technology	22,186,325		8,420,830	90,000	840,000	29,857,155	10,986,036	\$ 18,871,119	(4,981,982)	13,889,137
Total Internal Service Funds	<u>\$ 75,135,761</u>		<u>\$ 29,058,981</u>	<u>\$ 90,000</u>	<u>\$ 840,000</u>	<u>\$ 103,444,742</u>	<u>\$ 37,139,358</u>	<u>\$ 66,305,384</u>	<u>\$ (9,874,816)</u>	<u>\$ 56,430,568</u>
Fiduciary Funds										
098 General Fund Trust	6,259,828		\$ -	\$ 3,950,000	\$ 1,878,000	\$ 8,331,828	\$ -	\$ 8,331,828	\$ 3,509,937	\$ 11,841,765
099 Other Post Employment Benefits (OPEB)	126,834,259		9,696,482	-	-	136,530,741	4,000,000	132,530,741	-	132,530,741
Total Trust Funds	<u>\$ 133,094,087</u>		<u>\$ 9,696,482</u>	<u>\$ 3,950,000</u>	<u>\$ 1,878,000</u>	<u>\$ 144,862,569</u>	<u>\$ 4,000,000</u>	<u>\$ 140,862,569</u>	<u>\$ 3,509,937</u>	<u>\$ 144,372,506</u>
	<u>\$ 590,868,099</u>		<u>\$ 351,906,547</u>	<u>\$ 65,036,603</u>	<u>\$ 65,036,603</u>	<u>\$ 942,763,646</u>	<u>\$ 390,422,103</u>	<u>\$ 552,341,543</u>	<u>\$ (117,974,643)</u>	<u>\$ 434,366,900</u>

* Fund Balance amount is the Fund's actual working capital.

City of Ontario Recommended Adjustments by Fund Fiscal Year 2016-17 First Budget Update					SCHEDULE VI
Description	Appropriation Adjustments	Revenue Adjustments	Operating Transfer-In	Operating Transfer-Out	Fund Balance Impact
Fund 001 - General Fund					
<i>Current Year Adjustments to Fund Balance</i>					
Revise Miscellaneous Revenue estimate for Police and Fire Airport Operations		9,269,672			9,269,672
Reimbursables estimate for administrative cost of Ontario Int'l Airport Authority bond issuance		1,006,000			1,006,000
Airport Fire Operations start-up costs (<i>New, non-personnel related</i>)	853,260				(853,260)
Additional Citywide heating, ventilation, and air conditioning repairs	150,000				(150,000)
Citywide graffiti removal services	120,000				(120,000)
Ontario Ranch median and parkway landscape maintenance services (Funded from CFD revenues)	70,000				(70,000)
Enhanced Infrastructure Financing District feasibility analysis	64,500				(64,500)
City's 125th Celebration events	50,000				(50,000)
Airport-related handheld radios: Police (7) for new positions	40,250				(40,250)
Part-Time Office Assistant for Library	18,690				(18,690)
Materials and contract services for museum exhibits	15,000				(15,000)
Vehicle (1) New Fire position	70,000				(70,000)
Airport-related vehicles: Police (7) and Fire (1) for new positions	444,465				(444,465)
Contribution to General Fund (Transfer-in from Fund 064)			135,000		135,000
Historic Preservation Grant-Ontario Int'l Airport historic review - City Contribution (Transfer-out to Fund 015)				8,500	(8,500)
City Facilities Reserve (Transfer-out to Fund 098)				3,700,000	(3,700,000)
Replenish IT Fund for Fiber Optics Project (Transfer-out to Fund 035)				10,500,000	(10,500,000)
FY 2015-16 Carryforward Encumbrances	3,785,233	133,844			(3,651,389)
Recommended personnel changes	443,615				(443,615)
Recommended personnel changes Airport-related:					-
Police	2,098,605				(2,098,605)
Fire	1,281,945				(1,281,945)
Total General Fund Adjustments	9,505,563	10,409,516	135,000	14,208,500	(13,169,547)
 +/- Required Reserve Changes:					
Carryforward Appropriations Reserve					3,785,233
Total General Fund Adjustments					(9,384,314)
 Fund 003 - Gas Tax					
Sidewalk Installation Project / 2014 Safe Routes to School Program/Revise budget	25,000				(25,000)
Carryforward Encumbrances from FY 2015-16	551,626	51,969			(499,657)
Carryforward CIP Appropriations from FY 2015-16	1,569,235				(1,569,235)
	2,145,861	51,969	-	-	(2,093,892)
 Fund 004 - Measure I Five-Year Capital Improvement Plan					
Carryforward Encumbrances from FY 2015-16	967,223				(967,223)
Carryforward CIP Appropriations from FY 2015-16	2,897,927				(2,897,927)
	3,865,150	-	-	-	(3,865,150)
 Fund 005 - Measure I-Valley Major Projects					
Carryforward Encumbrances from FY 2015-16	17,792,586	17,792,586			-
Carryforward CIP Appropriations from FY 2015-16	22,085,020	22,085,020			-
	39,877,606	39,877,606	-	-	-
 Fund 008 - Community Development Block Grant					
Carryforward Encumbrances from FY 2015-16	187,415	187,415			-
Carryforward CIP Appropriations from FY 2015-16	941	941			-
	188,356	188,356	-	-	-
 Fund 009 - HOME Grants					
HOME Grant Program/Revise budget	295,717	295,717			-
	295,717	295,717	-	-	-

City of Ontario Recommended Adjustments by Fund Fiscal Year 2016-17 First Budget Update					SCHEDULE VI
Description	Appropriation Adjustments	Revenue Adjustments	Operating Transfer-In	Operating Transfer-Out	Fund Balance Impact
Fund 010 - Asset Seizure					
Law enforcement armory and equipment	675,000				(675,000)
Police Department administration office improvements	56,000				(56,000)
Carryforward Encumbrances from FY 2015-16	8,662				(8,662)
Carryforward CIP Appropriations from FY 2015-16	300,000				(300,000)
	<u>1,039,662</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>(1,039,662)</u>
Fund 014 - Mobile Source Air					
Electric Vehicle Charging Stations (Installation and Operation) (CC Apprvd 11/1/2016)	272,668				(272,668)
CNG Slow Fill Posts at Ontario Municipal Services Center/Revise budget	158,275				(158,275)
Carryforward Encumbrances from FY 2015-16	21,723				(21,723)
Carryforward CIP Appropriations from FY 2015-16	226,936				(226,936)
	<u>679,602</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>(679,602)</u>
Fund 015 - General Fund Grants					
State Water Grant - Mill Creek Wetlands (CC Apprvd 5/19/2013)	1,500,000	1,500,000			-
State Section 190 Grant Program/S. Milliken Grade Separation (CC Apprvd 3/3/2015)	1,000,000	1,000,000			-
FY2016 STEP Grant (CC Apprvd 2/2/2016)	345,000	345,000			-
FY 2016 Urban Area Security Initiative Grant Program: total containment vessel (Fire)	390,000	390,000			-
FY 2017 COPS/ELEAS Grant: night vision equipment/ range training improvements/electrical and incident response vehicles	261,607	261,607			-
Police Headquarters Improvements/Revise budget	165,000	165,000			-
Historic Preservation Grant-Ontario Int'l Airport historic review	38,500	30,000	8,500		-
FY2016 Homeland Security Grant Program (Police)	37,568	37,568			-
Edward Byrne Memorial Justice Assistance Grant (JAG) FY 2016 (CC Apprvd 6/21/2016)	35,938	35,938			-
FY 2016 Homeland Security Grant Program: hazardous material and explosive disposal equipment (Fire)	31,852	31,852			-
Carryforward Encumbrances from FY 2015-16	262,695	262,695			-
Carryforward CIP Appropriations from FY 2015-16	5,748,565	5,748,565			-
	<u>9,816,725</u>	<u>9,808,225</u>	<u>8,500</u>	<u>-</u>	<u>-</u>
Fund 016 - Ground Access					
Carryforward Encumbrances from FY 2015-16	965,297	965,297			-
Carryforward CIP Appropriations from FY 2015-16	1,482,628	1,482,628			-
	<u>2,447,925</u>	<u>2,447,925</u>	<u>-</u>	<u>-</u>	<u>-</u>
Fund 017 - Capital Projects					
Police Department Annex Re-Roofing/Revise budget (Transfer-in from Fund 098)	150,000		150,000		-
Museum Monument Sign Replacements/Revise budget (Transfer-in from Fund 098) (CC Apprvd 9/20/2016)	40,063		40,063		-
Carryforward Encumbrances from FY 2015-16	8,530,534	7,504,416			(1,026,118)
Carryforward CIP Appropriations from FY 2015-16	15,306,299	627,760			(14,678,539)
	<u>24,026,896</u>	<u>8,132,176</u>	<u>190,063</u>	<u>-</u>	<u>(15,704,657)</u>
Fund 024 - Water Operating					
Personnel re-allocations/Revise budget	(67,066)				67,066
Carryforward Encumbrances from FY 2015-16	550,768				(550,768)
	<u>483,702</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>(483,702)</u>
Fund 025 - Water Capital					
Carryforward Encumbrances from FY 2015-16	5,350,062				(5,350,062)
Carryforward CIP Appropriations from FY 2015-16	43,143,761				(43,143,761)
	<u>48,493,823</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>(48,493,823)</u>
Fund 026 - Sewer Operating					
Part-Time Administrative Intern	15,825				(15,825)
Personnel re-allocations/Revise budget	33,533				(33,533)
Carryforward Encumbrances from FY 2015-16	100,000				(100,000)
	<u>149,358</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>(149,358)</u>

City of Ontario Recommended Adjustments by Fund Fiscal Year 2016-17 First Budget Update					SCHEDULE VI
Description	Appropriation Adjustments	Revenue Adjustments	Operating Transfer-In	Operating Transfer-Out	Fund Balance Impact
Fund 027 - Sewer Capital					
Carryforward Encumbrances from FY 2015-16	83,048				(83,048)
Carryforward CIP Appropriations from FY 2015-16	587,162				(587,162)
	<u>670,210</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>(670,210)</u>
Fund 029 - Solid Waste					
FY 2015-16 Bottle Bill Grant (CC Apprvd 5/17/2016)	42,768	42,768			-
Personnel re-allocations/Revise budget	33,533				(33,533)
Carryforward Encumbrances from FY 2015-16	577,970				(577,970)
Carryforward CIP Appropriations from FY 2015-16	2,446,637	187,266			(2,259,371)
	<u>3,100,908</u>	<u>230,034</u>	<u>-</u>	<u>-</u>	<u>(2,870,874)</u>
Fund 031 - Solid Waste Facilities					
Carryforward CIP Appropriations from FY 2015-16	63,838				(63,838)
	<u>63,838</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>(63,838)</u>
Fund 032 - Equipment Services					
Carryforward Encumbrances from FY 2015-16	4,629,944				(4,629,944)
Carryforward CIP Appropriations from FY 2015-16	262,890				(262,890)
	<u>4,892,834</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>(4,892,834)</u>
Fund 034 - Information Technology					
Carryforward Encumbrances from FY 2015-16	2,644,380				(2,644,380)
Carryforward CIP Appropriations from FY 2015-16	922,645			1,243,517	(2,166,162)
Recommended personnel changes	171,440				(171,440)
	<u>3,738,465</u>	<u>-</u>	<u>-</u>	<u>1,243,517</u>	<u>(4,981,982)</u>
Fund 035 - Information Technology Fiber					
Carryforward Encumbrances from FY 2015-16	1,152,123				(1,152,123)
Carryforward CIP Appropriations from FY 2015-16	7,291,398		1,243,517		(6,047,881)
Transfer-in: (From Fund 001) Replenish IT Fund for Fiber Optics Project			10,500,000		10,500,000
Recommended personnel changes	19,145				(19,145)
	<u>8,462,666</u>	<u>-</u>	<u>11,743,517</u>	<u>-</u>	<u>3,280,851</u>
Fund 048 - Ontario Housing Authority					
Carryforward Encumbrances from FY 2015-16	61,828				(61,828)
	<u>61,828</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>(61,828)</u>
Fund 063 - NMC CFD# 24 Park Place Facilities					
Add budget for administrative and City services	7,000				(7,000)
	<u>7,000</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>(7,000)</u>
Fund 064 - NMC CFD# 27 New Haven Services					
Add budget for administrative and City services (Transfer-out to Fund 001)	5,000			135,000	(140,000)
	<u>5,000</u>	<u>-</u>	<u>-</u>	<u>135,000</u>	<u>(140,000)</u>
Fund 065 - NMC CFD# 28 New Haven Facilities					
Add budget for administrative and City services	7,000				(7,000)
	<u>7,000</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>(7,000)</u>
Fund 098 - General Fund Trust					
Transfer-in: (From Fund 001) City Facilities Reserve			3,700,000		3,700,000
Transfer-out: (To Fund 017) Police Department Annex Re-Roofing (City Facilities Reserve)				150,000	(150,000)
Transfer-out: (To Fund 017) Museum Monument Sign Replacements (City Facilities Reserve)				40,063	(40,063)
	<u>-</u>	<u>-</u>	<u>3,700,000</u>	<u>190,063</u>	<u>3,509,937</u>

City of Ontario Recommended Adjustments by Fund Fiscal Year 2016-17 First Budget Update					SCHEDULE VI
Description	Appropriation Adjustments	Revenue Adjustments	Operating Transfer-In	Operating Transfer-Out	Fund Balance Impact
Fund 109 - Public Meeting Impact					
Carryforward Encumbrances from FY 2015-16	5,767				(5,767)
Carryforward CIP Appropriation from FY 2015-16	24,416				(24,416)
	<u>30,183</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>(30,183)</u>
Fund 170 - OMC Regional Streets					
Carryforward Encumbrances from FY 2015-16	3,826,054				(3,826,054)
Carryforward CIP Appropriation from FY 2015-16	2,387,866				(2,387,866)
	<u>6,213,920</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>(6,213,920)</u>
Fund 171 - OMC Local Adjacent Streets					
Carryforward Encumbrances from FY 2015-16	657,025				(657,025)
Carryforward CIP Appropriation from FY 2015-16	4,967,270				(4,967,270)
	<u>5,624,295</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>(5,624,295)</u>
Fund 173 - OMC Local Adjacent Storm Drainage					
Carryforward Encumbrances from FY 2015-16	6,651,609				(6,651,609)
Carryforward CIP Appropriation from FY 2015-16	1,860,140				(1,860,140)
	<u>8,511,749</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>(8,511,749)</u>
Fund 177 - OMC Local Adjacent Sewer					
Carryforward Encumbrances from FY 2015-16	292,489				(292,489)
Carryforward CIP Appropriation from FY 2015-16	4,359				(4,359)
	<u>296,848</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>(296,848)</u>
Fund 178 - OMC Fire Impact					
Carryforward Encumbrances from FY 2015-16	47,922				(47,922)
Carryforward CIP Appropriation from FY 2015-16	2,033,546				(2,033,546)
	<u>2,081,468</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>(2,081,468)</u>
Fund 180 - NMC Regional Streets					
Carryforward Encumbrances from FY 2015-16	1,031,458				(1,031,458)
Carryforward CIP Appropriation from FY 2015-16	1,402,856				(1,402,856)
	<u>2,434,314</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>(2,434,314)</u>
Fund 190 - NMC Fire Impact					
Carryforward Encumbrances from FY 2015-16	195,218				(195,218)
Carryforward CIP Appropriation from FY 2015-16	2,477				(2,477)
	<u>197,695</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>(197,695)</u>
Total Other Fund Adjustments	<u>179,910,604</u>	<u>61,032,008</u>	<u>15,642,080</u>	<u>1,568,580</u>	<u>(104,805,096)</u>

SCHEDULE VII

**City of Ontario
Recommended Personnel and Organizational Changes
Fiscal Year 2016-17
First Budget Update**

<u>Agency/Department</u>	<u>Position</u>	<u>Action</u>	<u>Salary Range</u>
Administrative Services/Management Services	Purchasing Team Leader (1)	Addition	\$ 5,154 - \$ 6,265
Administrative Services/Management Services	Purchasing Assistant (1)	Deletion	\$ 3,822 - \$ 4,645
Administrative Services/Fiscal Services	Accounts Payable Technician (1)	Addition	\$ 4,100 - \$ 4,984
Information Technology	Principal IT Analyst (3)	Addition	\$ 7,764 - \$ 9,436
Information Technology	Database Administrator (1)	Deletion	\$ 7,559 - \$ 9,188
Information Technology	Senior Systems Analyst (2)	Deletion	\$ 7,065 - \$ 8,587
Information Technology (Ontario Airport)	IT Specialist (2)	Addition	\$ 4,765 - \$ 5,793
Police Department (Ontario Airport)	Police Officer (5)	Addition	\$ 5,425 - \$ 6,594
Police Department (Ontario Airport)	Police Corporal (1)	Addition	\$ 5,994 - \$ 7,286
Police Department (Ontario Airport)	Police Sergeant (1)	Addition	\$ 8,161 - \$ 9,920
Police Department (Ontario Airport)	Senior Police Dispatcher (8)	Addition	\$ 4,245 - \$ 5,211
Fire Department	Fire Captain - 40 hour (2)	Addition	\$ 7,724 - \$ 9,388
Fire Department	Fire Investigation Supervisor - 53 hour (1)	Addition	\$ 7,724 - \$ 9,388
Fire Department (Ontario Airport)	Deputy Fire Chief (1)	Addition	\$ 11,060 - \$ 13,444
Fire Department (Ontario Airport)	Fire Captain - 53 hour (3)	Addition	\$ 7,724 - \$ 9,388
Fire Department (Ontario Airport)	Fire Engineer - 53 hour (9)	Addition	\$ 6,531 - \$ 7,939
Fire Department (Ontario Airport)	Fire Fighter - 53 hour (12)	Addition	\$ 5,482 - \$ 6,663
Reclassifications / Salary Realignment:			
City Administration	Senior Legislative Analyst to	Reclass	\$ 6,393 - \$ 7,769
	Government Affairs Director		\$ 8,369 - \$ 10,171
Information Technology	IT Operations Manager to	Reclass	\$ 8,866 - \$ 10,776
	IT Operations Director		\$ 9,594 - \$ 11,664
Information Technology	IT Systems Manager to	Reclass	\$ 8,866 - \$ 10,776
	IT Systems Director		\$ 9,594 - \$ 11,664

SCHEDULE VII

**City of Ontario
Recommended Personnel and Organizational Changes
Fiscal Year 2016-17
First Budget Update**

<u>Agency/Department</u>	<u>Position</u>	<u>Action</u>	<u>Salary Range</u>
IT Fiber Optics	Broadband Operations Manager to Broadband Operations Director	Reclass	\$ 8,866 - \$ 10,776 \$ 9,594 - \$ 11,664
IT Fiber Optics	Development Manager to Design & Construction Director	Reclass	\$ 9,077 - \$ 11,032 \$ 9,594 - \$ 11,664

<u>Impact by Fund</u>		<u>Current</u>	<u>Annual</u>
Fund 001	General Fund	\$ 3,824,165	\$ 8,313,438
Fund 034	Information Technology	171,440	293,897
Fund 035	IT Fiber Optics	19,145	32,820
		<u>\$ 4,014,750 *</u>	<u>\$ 8,640,155 *</u>

*Includes prior salary adjustment approvals by City Council.

CITY OF ONTARIO

Agenda Report
November 15, 2016

SECTION: CONSENT CALENDAR

SUBJECT: AN AGREEMENT FOR PREPARATION OF AN ENVIRONMENTAL IMPACT REPORT FOR THE COLONY COMMERCE CENTER EAST SPECIFIC PLAN

RECOMMENDATION: That the City Council approve and authorize the City Manager to execute an agreement (on file with the Records Management Department) with EPD Solutions, Inc., of Irvine, California, to prepare an Environmental Impact Report (EIR) for the Colony Commerce Center East Specific Plan, related to 95 acres of land located north of the San Bernardino/Riverside County line, south of Merrill Avenue, east of Cucamonga Creek Flood Control Channel, and west of Archibald Avenue, in the amount not to exceed \$311,892 (includes 15% contingency); and authorize the City Manager to approve any future budget adjustments necessary to complete the EIR.

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

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. The EIR contract is a "pass-thru" to be paid by the project applicant. A budget adjustment for the \$311,892 in Revenue and corresponding expenditures will be included in the 2nd quarter budget report.

BACKGROUND: On January 27, 2010, the City adopted The Ontario Plan (TOP) and certified the accompanying EIR. TOP serves as the City's new General Plan for the entire City, including Ontario Ranch. The project site is zoned SP/AG (Specific Plan/Agriculture Preserve). The zoning of "SP" requires the project area to be developed with a Specific Plan to carry out the Goals and Policies of TOP.

The applicant, CapRock Partners, is proposing the Colony Commerce Center East Specific Plan that will establish land use designations, development standards, design guidelines and infrastructure

STAFF MEMBER PRESENTING: Scott Murphy, Planning Director

Prepared by: Richard Ayala

Department: Planning

City Manager
Approval: 

Submitted to Council/O.H.A. 11/15/2016

Approved: _____

Continued to: _____

Denied: _____

improvements that will govern the development of 95 acres of land for industrial development. The Specific Plan site is generally located north of the San Bernardino/Riverside County line, south of Merrill Avenue, east of Cucamonga Creek Flood Control Channel, and west of Archibald Avenue.

The Specific Plan area consists of six parcels ranging in size from 1.11 acres to 34.62 acres under three separate ownerships. The six parcels are designated Industrial (0.55 FAR) and Business Park (0.60 FAR) under the City's Policy Plan (General Plan) land use map. The Specific Plan proposes a maximum of 2,362,251 million square feet of industrial uses. The project will also include applications for a Development Agreement, Development Plan, and Tentative Parcel Maps.

In order to thoroughly address the environmental impacts associated with the proposed specific plan, a project Environmental Impact Report (EIR) is required. The City of Ontario Planning Department is responsible for selecting the consultant to prepare the EIR. A Request for Proposal (RFP) to prepare an EIR for the Colony Commerce Center East Specific Plan was sent to five (5) qualified environmental consulting firms. The selection committee unanimously recommended EPD Solutions, Inc., be hired to prepare the EIR for the Colony Commerce Center East Specific Plan. The experience and qualifications of the EPD Solutions, Inc., team seemed to best address and fully respond to the work scope.

The total cost for completing the EIR is \$311,892, which includes a fifteen percent (15%) contingency required by the City, which will be paid by the applicant. The applicant is aware and has agreed to the required total amount. Staff will oversee the project from start to finish.

The Professional Services Agreement including a detailed scope of work and fee schedule is available upon request from the Planning Department and City Clerk.

CITY OF ONTARIO

Agenda Report
November 15, 2016

SECTION:
CONSENT CALENDAR

SUBJECT: UPDATE OF THE CITYWIDE RECORDS RETENTION SCHEDULE

RECOMMENDATION: That the City Council adopt a resolution approving revisions and updates to the Citywide Records Retention Schedule.

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

FISCAL IMPACT: Nominal operational savings will result through reductions in the cost of off-site storage and increasing usable office and storage space by shortening retention periods in the various departments and in the City's Records Center; and there is potential loss avoidance by protecting City records in the event of a disaster.

BACKGROUND: On June 15, 2010, the City Council adopted a fully revised Records Retention Schedule to meet operational, administrative, legal and historical requirements. The City's records Management Program provides guidelines and authority for the disposition of records through adopted Retention Schedules. Periodically it is necessary to review record retention periods to assure that they meet the operational requirements of the City and comply with state and federal law.

Following the adoption of the new Schedule, the Records Management Department assisted other departments citywide in cleaning out and destroying obsolete records. In that process a number of revisions were identified to provide more functionality and efficiency. Those revisions were adopted on November 15, 2011.

Since 2011, a number of other minor issues and legislative changes have arisen prompting another review of the Schedule. All departments have reviewed and approved their revised schedules (on file in Records Management).

STAFF MEMBER PRESENTING: Al C. Boling, City Manager

Prepared by: Vicki Kasad
Department: Records Management

Submitted to Council/O.H.A. 11/15/2016

Approved: _____

Continued to: _____

Denied: _____

City Manager
Approval: 

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RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, MAKING REVISIONS AND UPDATING CITY RECORDS RETENTION SCHEDULES AND AMENDING RESOLUTION NOS. 2010-048 AND 2011-070.

WHEREAS, Sections 34090 and 34090.5 of the Government Code of the State of California provide for the disposition of City records and public records; and

WHEREAS, Section 34090.7 of the Government Code of the State of California provides for the destruction of duplicate records that are no longer needed for reference, and in a manner prescribed by the legislative body of the City; and

WHEREAS, the Records Retention Schedules which are on file in the Records Management Department, have itemized all records maintained by the departments specified; and

WHEREAS, each records series title contained in said schedule has been examined and approved for retention or destruction by the City Records Retention Consultant, the Department, and the administrator responsible for Records Management; and

WHEREAS, the City's Records Management Program provides for review and re-evaluation of retention periods previously established to assure they meet legal and operational requirements.

NOW, THEREFORE, the City Council of the City of Ontario resolved as follows:

SECTION 1. That the Records Retention Schedules for Administrative Services, City Clerk/Records Management, Citywide, Community & Public Services Agency, Engineering, Fire, Housing, Human Resources, Information Technology/GIS, Municipal Utilities Agency, Police, Risk and RDA Successor Agency attached hereto and made a part hereof by reference, are approved and authorization is given to the respective departments of the City to transfer, retain and destroy records identified in accordance with the retention schedules as set forth.

SECTION 2. The City Clerk shall certify to the passage of this Resolution by the City Council of the City of Ontario, and it shall thereupon take effect.

PASSED, APPROVED, AND ADOPTED this 15th day of November 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 November 15, 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 November 15, 2016.

SHEILA MAUTZ, CITY CLERK

(SEAL)

RECORDS RETENTION SCHEDULE: ADMINISTRATIVE SERVICES

Office of Record	Retention No.	Records Description	Retention / Disposition							Comments / Reference
(OFR)			Active (in office)	Inactive (Records Manag. or Imaged)	Total Retention	Vital?	Media Options	Image: I=Import M=Mfr S=Scan	Destroy Paper after Imaged & QC'd?	
<i>If the record is not listed here, refer to the Retention for City-Wide Standards</i>										
<i>Retentions begin when the act is completed, and imply a full file folder (e.g. last document + 2 years), since destruction is normally performed by file folder.</i>										
<i>Litigation, claims, complaints, audits, public records requests, and/or investigations suspend normal retention periods (retention resumes after settlement).</i>										
ADMIN. SERVICES / ADMINISTRATION										
Admin. Services / Admin.	ASD-ADM-001	Cost Allocation Report	2 years	3 years	5 years		Mag, Ppr			Meets municipal government auditing standards; GC §34090
<u>Admin. Services / Admin.</u>	<u>ASD-ADM-007</u>	<u>Developer Trust Accounts</u>	<u>Close + 5 years</u>		<u>Close + 5 years</u>		<u>Mag, Ppr</u>			<u>Meets municipal government auditing standards; GC §34090</u>
Admin. Services / Admin.	ASD-ADM-002	External Audit Reports / Financial Reports, Annual / CAFR	5 years	P	P		Mag, Mfr, OD, Ppr	S / I	Yes: After 1 year	Standard within the profession; GC §34090
Admin. Services / Admin.	ASD-ADM-003	External Audit Work Papers / Audit Schedules for External Audits	2 years	3 years	5 years		Mag, Ppr			Meets municipal government auditing standards; GC §34090
Admin. Services / Admin.	ASD-ADM-004	FEMA / CalEMS Claims	Reimbursement / Settlement	5 years	Reimbursement / Settlement + 5 years		Mag, Ppr			Meets municipal government auditing standards; GC §34090
Admin. Services / Admin.	ASD-ADM-005	Financial Services Database (PeopleSoft, Kronos, etc.)	Indefinite		Indefinite	Yes	Mag			Data Fields / Records are interrelated; GC §34090
Admin. Services / Admin.	ASD-ADM-006	Sales Tax Incentive Payments	2 years	3 years	5 years		Mag, Ppr			Meets municipal government auditing standards; GC §34090
ADMIN. SERVICES / BUDGET										
Admin. Services / Budget	ASD-ADM-007	Budget Adjustments	3 years	2 years	5 years		Mag, Ppr			Department Preference to meet auditing standards; GC §34090
City Clerk	ASD-ADM-008	Budgets - Adopted / Final	P		P	Yes: Current Fiscal Year	Mag, Mfr, OD, Ppr	S / I	Yes: After 1 year	Must be filed with County Auditor; GC §34090, 40802, 53901

RECORDS RETENTION SCHEDULE: ADMINISTRATIVE SERVICES

Office of Record	Retention No.	Records Description	Retention / Disposition							Comments / Reference
(OFR)			Active (in office)	Inactive (Records Manag. or Imaged)	Total Retention	Vital?	Media Options	Image: I=Import M=Mfr S=Scan	Destroy Paper after Imaged & QC'd?	
<i>If the record is not listed here, refer to the Retention for City-Wide Standards</i>										
<i>Retentions begin when the act is completed, and imply a full file folder (e.g. last document + 2 years), since destruction is normally performed by file folder.</i>										
<i>Litigation, claims, complaints, audits, public records requests, and/or investigations suspend normal retention periods (retention resumes after settlement).</i>										
Admin. Services / Budget	ASD-ADM-009	Budgets - Work Papers	3 years	2 years	5 years		Mag, Ppr			Department Preference to meet auditing standards; GC §34090
Admin. Services / Budget	ASD-ADM-010	Parking Tax Statements and Schedules	1 year	4 years	5 years	Yes: Until Paid	Mag, Ppr			Meets municipal government auditing standards; Statewide guidelines propose audit + 4 years; GC §34090
Admin. Services / Budget	ASD-ADM-011	Transient Occupancy Tax Statements and Schedules	1 year	4 years	5 years	Yes: Until Paid	Mag, Ppr			Meets municipal government auditing standards; Statewide guidelines propose audit + 4 years; GC §34090
ADMIN. SERVICES / FISCAL SERVICES / ACCOUNTS PAYABLE										
Admin. Services / Fiscal Services / Accounts Payable	ASD-FIS-001	Accounts Payable / Check Copies / Invoices and Backup / Credit Card Statements / Credit Card Receipts / Processed City Utility Invoices	2 years	3 years	5 years	Yes: Until Paid	Mag, Mfr, OD, Ppr	S / I	Yes: After 1 year	Meets municipal government auditing standards; Statewide guidelines propose audit + 4 years; GC §34090
ADMIN. SERVICES / FISCAL SERVICES										
Admin. Services / Fiscal Services	ASD-FIS-002	1099's Issued / 1096, etc.	5 years		5 years		Mag, Ppr			IRS: 4 years after tax is due or paid (longer for auditing & contractor delinquency); Ca. FTB: 3 years; 26 CFR 31.6001-1, R&T §19530, GC §34090
Admin. Services / Fiscal Services	ASD-FIS-003	Bank Statements, Bank Reconciliations	2 years	3 years	5 years		Mag, Ppr			Published articles show 3 - 4 years; GC §34090, 26 CFR 31.6001-1

RECORDS RETENTION SCHEDULE: ADMINISTRATIVE SERVICES

Office of Record	Retention No.	Records Description	Retention / Disposition							Comments / Reference
(OFR)			Active (in office)	Inactive (Records Manag. or Imaged)	Total Retention	Vital?	Media Options	Image: I=Import M=Mfr S=Scan	Destroy Paper after Imaged & QC'd?	
<i>If the record is not listed here, refer to the Retention for City-Wide Standards</i>										
<i>Retentions begin when the act is completed, and imply a full file folder (e.g. last document + 2 years), since destruction is normally performed by file folder.</i>										
<i>Litigation, claims, complaints, audits, public records requests, and/or investigations suspend normal retention periods (retention resumes after settlement).</i>										
Admin. Services / Fiscal Services	ASD-FIS-014	Reports: Annual State or Federal: State Controller's Report, Local Government Compensation Report , Obligation Payment Schedules , Due Diligence Reviews , Statement of Indebtedness, Street Report, HCD Report, Maintenance of Effort, Possessory Interest, EDD / Independent Contractors, AB 2766, AQMD, County Property Tax Apportionment, Grant Financial & Certification Reports, Statutory Pass-through, AB 1389, etc.	5 years		5 years		Mag, Mfr, OD, Ppr	S / I	Yes: After 1 year	Department Preference; GC §34090
Admin. Services / Fiscal Services	ASD-FIS-015	Reports: Various Financial Reports OTHER than Year End G/L - Month-end G/L Reports, Land Held for Resale, Trustee Files (including retention), etc.	When No Longer Required		When No Longer Required		Mag, Ppr			Transitory records not retained in the ordinary course of business Financial system qualifies as a trusted system and can re-create reports accurately; statewide guidelines propose 2 years; GC §34090
Admin. Services / Fiscal Services	ASD-FIS-016	Returned Checks (NSF, etc.)	1 year	4 years	5 years	Yes: Until Paid	Mag, Ppr			Meets municipal government auditing standards; Statewide guidelines propose audit + 4 years; GC §34090

RECORDS RETENTION SCHEDULE: ADMINISTRATIVE SERVICES

Office of Record	Retention No.	Records Description	Retention / Disposition							Comments / Reference
(OFR)			Active (in office)	Inactive (Records Manag. or Imaged)	Total Retention	Vital?	Media Options	Image: I=Import M=Mfr S=Scan	Destroy Paper after Imaged & QC'd?	
If the record is not listed here, refer to the Retention for City-Wide Standards										
Retentions begin when the act is completed, and imply a full file folder (e.g. last document + 2 years), since destruction is normally performed by file folder.										
Litigation, claims, complaints, audits, public records requests, and/or investigations suspend normal retention periods (retention resumes after settlement).										
Admin. Services / Fiscal Services / Payroll	ASD-PAY-005	PERS Summary, Annual / CalPERS Annual Report	2 years	3 years	5 years		Mag, Ppr			IRS: 4 yrs after tax is due or paid; Ca. FTB: 3 years; Articles show 7 years; 26 CFR 31.6001- 1, R&T §19530; 29 CFR 516.5 - 516.6, 29 USC 436, GC §34090
Admin. Services / Fiscal Services / Payroll	ASD-PAY-006	Reports: Employee Deductions	When No Longer Required		When No Longer Required		Mag, Ppr			Preliminary Drafts; GC §34090 et seq.
Admin. Services / Fiscal Services / Payroll	ASD-PAY-007	Taxes - Withholding, Per Pay Period, Monthly, Quarterly, Yearly Payroll Tax Reports, DE-6, DE-7 , DE-9 DE-43 , & 941 Forms, Report of New Employees	2 years	3 years	5 years	Yes Current Year	Mag, Ppr			IRS: 4 yrs after tax is due or paid; Ca. FTB: 3 years; Articles show 7 years; 26 CFR 31.6001- 1, R&T §19530; 29 CFR 516.5 - 516.6, 29 USC 436, GC §34090 26CFR31.6001-1 Tape backup serves as vital backup copy
Admin. Services / Fiscal Services / Payroll	ASD-PAY-008	Time Cards / Time Sheets / Timecard Entry Except for Fire, Library, Police, Municipal Utilities, Community & Public Services	2 years	3 years	5 years		Mag, Ppr			IRS: 4 yrs after tax is due or paid; Ca. FTB: 3 years; Articles show 7 years; 26 CFR 31.6001- 1, R&T §19530; 29 CFR 516.5 - 516.6, 29 USC 436, GC §34090
Admin. Services / Fiscal Services / Payroll	ASD-PAY-009	W-2's	2 years	3 years	5 years		Mag, Ppr			IRS: 4 yrs after tax is due or paid; Ca. FTB: 3 years; Articles show 7 years; 26 CFR 31.6001- 1, R&T §19530; 29 CFR 516.5 - 516.6, 29 USC 436, GC §34090

RECORDS RETENTION SCHEDULE: ADMINISTRATIVE SERVICES

Office of Record	Retention No.	Records Description	Retention / Disposition							Comments / Reference
(OFR)			Active (in office)	Inactive (Records Manag. or Imaged)	Total Retention	Vital?	Media Options	Image: I=Import M=Mfr S=Scan	Destroy Paper after Imaged & QC'd?	
<i>If the record is not listed here, refer to the Retention for City-Wide Standards</i>										
<i>Retentions begin when the act is completed, and imply a full file folder (e.g. last document + 2 years), since destruction is normally performed by file folder.</i>										
<i>Litigation, claims, complaints, audits, public records requests, and/or investigations suspend normal retention periods (retention resumes after settlement).</i>										
Admin. Services / Fiscal Services / Payroll	ASD-PAY-010	W-4s / W-4As	No Longer in Effect + 4 years		No Longer in Effect + 4 years		Mag, Ppr			IRS Regulation 31-6001-1 four years after the due date of such tax for the return period to which the records relate, or the date such tax is paid, whichever is the later. GC §34090
ADMIN. SERVICES / INVESTMENT SERVICES										
Admin. Services / Investment Services & City Clerk	ASD-INV-001	Bonds: Debt Official Statements / Certificates of Participations (COPs)	<u>Fully Defeased</u> Cancellation, Redemption or Maturity	10 years	<u>Fully Defeased</u> Cancellation, Redemption or Maturity + 10 years	Yes: Until Maturity	Mag, Ppr			Statute of Limitations for bonds, mortgages, trust deeds, notes or debentures is 6 years; Bonds issued by local governments are 10 years; There are specific requirements for disposal of unused bonds; CCP §§336 et seq. 337.5(a); GC §43900 et seq.
Admin. Services / Investment Services	ASD-INV-002	Broker's Statements	2 years	3 years	5 years	Yes: Until Paid	Mag, Ppr			Meets auditing standards; Published articles show disposal + 7 years for security brokerage slips; statewide guidelines propose permanent; FTC Reg's rely on "self-enforcement"; GC§§ 34090, 43900
Admin. Services / Investment Services	ASD-INV-003	Investment Journals	2 years	3 years	5 years		Mag, Ppr			Published articles show 3 - 4 years; GC §34090, 26 CFR 31.6001-1

RECORDS RETENTION SCHEDULE: CITY CLERK & RECORDS MANAGEMENT

Office of Record	Retention No.	Records Description	Retention / Disposition							Comments / Reference
(OFR)			Active (in office)	Inactive (Records Manag. or Imaged)	Total Retention	Vital?	Media Options	Image: I=Import M=Mfr S=Scan	Destroy Paper after Imaged & QC'd?	
<i>If the record is not listed here, refer to the Retention for City-Wide Standards</i>										
<i>Retentions begin when the act is completed, and imply a full file folder (e.g. last document + 2 years), since destruction is normally performed by file folder.</i>										
<i>Litigation, claims, complaints, audits, public records requests, and/or investigations suspend normal retention periods (retention resumes after settlement).</i>										
CITY CLERK										
Lead Dept.	CLK-001	Affidavits of Publications / Public Hearing Notices / Legal Advertising / Affidavits of Posting	2 years		2 years		Mag, Mfr, OD, Ppr			Brown Act challenges must be filed within 30 or 90 days of action; Statute of Limitations on Municipal Government actions is 3 - 6 months; CCP §§337 et seq, 349.4; GC §§34090, 54960.1(c)(1)
City Clerk	CLK-002	Agenda Packets / Staff Reports / Results City Council, Housing Authority, Redevelopment Financing Authority, Redevelopment Agency / Successor Agency / Oversight Board	P		P	Yes: Until After Meeting	Mag, Mfr, OD, Ppr	S/I	Yes: After 2 years	Department Preference (The minutes are the permanent record); GC §34090 et seq.

RECORDS RETENTION SCHEDULE: CITY CLERK & RECORDS MANAGEMENT

Office of Record	Retention No.	Records Description	Retention / Disposition							Comments / Reference
(OFR)			Active (in office)	Inactive (Records Manag. or Imaged)	Total Retention	Vital?	Media Options	Image: I=Import M=Mfr S=Scan	Destroy Paper after Imaged & QC'd?	
<i>If the record is not listed here, refer to the Retention for City-Wide Standards</i>										
<i>Retentions begin when the act is completed, and imply a full file folder (e.g. last document + 2 years), since destruction is normally performed by file folder.</i>										
<i>Litigation, claims, complaints, audits, public records requests, and/or investigations suspend normal retention periods (retention resumes after settlement).</i>										
City Clerk	CLK-016	Economic Interest Filings & Logs (FPPC 700 Series Forms - Statement of Economic Interests): DESIGNATED EMPLOYEES & CONSULTANTS (specified in the City's Conflict of Interest code)	2 years	5 years	7 years		Mag, Mfr, OD, Ppr	S	Yes: After 2 years	City maintains original statements; GC §81009(e)&(g)
City Clerk	CLK-017	Economic Interest Filings & Logs (FPPC 700 Series Forms - Statement of Economic Interests): PUBLIC OFFICIALS (Elected. Includes City Council Members, Planning Commission Members, City Manager, City Treasurer & City Attorney - "87200 filers")	4 years	3 years	7 years		Mag, Mfr, OD, Ppr	S	Yes: After 2 years	Department Preference; City maintains copies only; original statements are filed with FPPC; GC §81009(f)&(g)
City Clerk	CLK-018	FPPC Form 801 (Gift to Agency Report)	4 years		4 years		Mag, Ppr			Must post on website; 2 CCR 18944.2(c)(3)(G)
City Clerk	CLK-019	FPPC Form 802 (Tickets Provided by Agency Report)	7 years		7 years		Mag, Ppr			Must post on website for 4 years; GC §81009(e)
City Clerk	CLK-080	FPPC Form 803 (Behested Payment Report)	P		P		Mag, Ppr			FPPC Regulation 18734(c); GC §81009e
City Clerk	CLK-081	FPPC Form 804 (Agenda Report of New Positions)	P		P		Mag, Ppr			FPPC Regulation 18734(c); GC §81009e
City Clerk	CLK-082	FPPC Form 805 (Agency Report of Consultants)	7 years		7 years		Mag, Ppr			GC §34090; GC §81009(e)

RECORDS RETENTION SCHEDULE: CITY CLERK & RECORDS MANAGEMENT

Office of Record	Retention No.	Records Description	Retention / Disposition							Comments / Reference
			Active (in office)	Inactive (Records Manag. or Imaged)	Total Retention	Vital?	Media Options	Image: I=Import M=Mfr S=Scan	Destroy Paper after Imaged & QC'd?	
(OFR)										
<i>If the record is not listed here, refer to the Retention for City-Wide Standards</i>										
<i>Retentions begin when the act is completed, and imply a full file folder (e.g. last document + 2 years), since destruction is normally performed by file folder.</i>										
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City Clerk	CLK-083	FPPC Form 806 (Agency Report of Public Official Appointments)	7 years		7 years		Mag, Ppr			Must post on website; 2 CCR 18705.5; GC §34090; GC §81009(e)

RECORDS RETENTION SCHEDULE: CITY CLERK & RECORDS MANAGEMENT

Office of Record	Retention No.	Records Description	Retention / Disposition							Comments / Reference
(OFR)			Active (in office)	Inactive (Records Manag. or Imaged)	Total Retention	Vital?	Media Options	Image: I=Import M=Mfr S=Scan	Destroy Paper after Imaged & QC'd?	
<i>If the record is not listed here, refer to the Retention for City-Wide Standards</i>										
<i>Retentions begin when the act is completed, and imply a full file folder (e.g. last document + 2 years), since destruction is normally performed by file folder.</i>										
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CITY CLERK ELECTIONS - CONSOLIDATED										
City Clerk	CLK-020	Campaign Statements (FPPC 400 Series Forms & Form 501): SUCCESSFUL CANDIDATES (Elected Officials)	2 years	P	P		Mag, Mfr, OD, Ppr	S	Yes: After 2 years	Paper must be retained for at least 2 years; GC §81009(b)&(g)
City Clerk	CLK-021	Campaign Statements (FPPC 400 Series Forms & Form 501): UNSUCCESSFUL CANDIDATES	2 years	3 years	5 years		Mag, Mfr, OD, Ppr	S	Yes: After 2 years	Paper must be retained for at least 2 years; GC §81009(b)&(g)
City Clerk	CLK-022	Campaign Statements (FPPC 400 Series Forms): THOSE NOT REQUIRED TO FILE ORIGINAL WITH CITY CLERK (copies)	2 years	2 years	4 years		Mag, Mfr, OD, Ppr	S	Yes: After 2 years	Paper must be retained for at least 2 years; GC §81009(f)&(g)
City Clerk	CLK-023	Campaign Statements (FPPC 400 Series Forms): OTHER COMMITTEES (PACS - not candidate-controlled)	2 years	5 years	7 years		Mag, Mfr, OD, Ppr	S	Yes: After 2 years	Paper must be retained for at least 2 years; GC §81009(c)&(g)
City Clerk	CLK-024	Candidate File: Nomination Papers, Candidate Statements, etc. - SUCCESSFUL CANDIDATES	8 years		8 years		Mag, Ppr			Department Preference; Statewide guidelines proposes 4 years for successful candidates, 2 years for unsuccessful; CA law states term of office and 4 years after the expiration of term and does not delineate between the two; EC §17100

RECORDS RETENTION SCHEDULE: CITY CLERK & RECORDS MANAGEMENT

Office of Record	Retention No.	Records Description	Retention / Disposition							Comments / Reference
(OFR)			Active (in office)	Inactive (Records Manag. or Imaged)	Total Retention	Vital?	Media Options	Image: I=Import M=Mfr S=Scan	Destroy Paper after Imaged & QC'd?	
<i>If the record is not listed here, refer to the Retention for City-Wide Standards</i>										
<i>Retentions begin when the act is completed, and imply a full file folder (e.g. last document + 2 years), since destruction is normally performed by file folder.</i>										
<i>Litigation, claims, complaints, audits, public records requests, and/or investigations suspend normal retention periods (retention resumes after settlement).</i>										
City Clerk	CLK-042	Historical Records (e.g. Articles of Incorporation, City Seal, Awards of significant historical interest, etc.)	P		P		Mag, Mfr, OD, Ppr	S/I	No	City Clerk determines historical significance; records can address a variety of subjects and media; GC §34090
City Clerk	CLK-043	Legal Opinions	P		P	Yes	Mag, Mfr, OD, Ppr	S	Yes: After QC	Department Preference; GC §34090
City Clerk	CLK-044	Maddy Act List / Vacancy List (List of Local Appointments)	2 years		2 years		Mag, Ppr			GC §34090
City Clerk	CLK-045	Master Appointment List / Roster of Elected and Appointed Officials (Board & Committee Members, etc.)	P		P		Mag, Mfr, OD, Ppr	S/I	No	Retained for Historical Value, GC §34090
City Clerk	CLK-046	Minutes City Council, Housing Authority, Redevelopment Financing Authority, Redevelopment Agency / Successor Agency / Oversight Board	1 year	P	P	Yes (all)	Mag, Mfr, OD, Ppr	S	No	GC §34090
City Clerk	CLK-047	Notes, Trust Deeds and Loan Agreements	P		P	Yes	Mag, Mfr, OD, Ppr	S	No	Department Preference; GC §34090

RECORDS RETENTION SCHEDULE: CITY CLERK & RECORDS MANAGEMENT

Office of Record	Retention No.	Records Description	Retention / Disposition							Comments / Reference
(OFR)			Active (in office)	Inactive (Records Manag. or Imaged)	Total Retention	Vital?	Media Options	Image: I=Import M=Mfr S=Scan	Destroy Paper after Imaged & QC'd?	
<i>If the record is not listed here, refer to the Retention for City-Wide Standards</i>										
<i>Retentions begin when the act is completed, and imply a full file folder (e.g. last document + 2 years), since destruction is normally performed by file folder.</i>										
<i>Litigation, claims, complaints, audits, public records requests, and/or investigations suspend normal retention periods (retention resumes after settlement).</i>										
City Clerk	CLK-052	Recordings / DVD-R of City Council Meetings - Video Recordings / DVD-R or VCR (ALL)	90 days		90 days		Tape (Mag)			Video recording of meetings are only required for 90 days; GC §§34090.7, 60201
City Clerk	CLK-053	Recordings / Tapes of City Council Meetings - Audio Recordings / Tapes or CDs	30 days, or After Minutes are Approved, whichever is longer		30 days, or After Minutes are Approved, whichever is longer		Tape (Mag)			Department Preference; State law only requires for 30 days; GC §54953.5(b)
City Clerk	CLK-054	Resolutions City Council, Housing Authority, Redevelopment Financing Authority, Redevelopment Agency / Successor Agency / Oversight Board	P		P	Yes (all)	Mag, Mfr, OD, Ppr	S	No	GC §34090 et. seq.
City Clerk	CLK-055	RFPs (Request for Proposals) and/or RFQs (Request for Qualifications) See Agreements & Contracts								

RECORDS RETENTION SCHEDULE - COMMUNITY & PUBLIC SERVICES AGENCY

Office of Record	Retention No.	Records Description	Retention / Disposition							Comments / Reference
(OFR)			Active (in office)	Inactive (Records Manag. or Imaged)	Total Retention	Vital?	Media Options	Image: I=Import M=Mfr S=Scan	Destroy Paper after Imaged & QC'd?	
<i>If the record is not listed here, refer to the Retention for Citywide Standards</i>										
<i>Retentions begin when the act is completed, and imply a full file folder (e.g. last document + 2 years), since destruction is normally performed by file folder.</i>										
<i>Litigation, claims, complaints, audits and/or investigations suspend normal retention periods (retention begins after settlement).</i>										
Commun. & Public Services / Library	CPS-LIB-014	E-Rate Records (Discounted Internet Access)	5 years		5 years		Mag, Ppr			FCC requires 5 years after the last day of delivery of discounted services; FCC order 04-190(B)(1)(46); GC §34090
Commun. & Public Services / Library	CPS-LIB-006	Endowment Fund / Memorial Account	5 years		5 years		Mag, Ppr			Department Preference (meets municipal government auditing standards; GC §34090)
Commun. & Public Services / Library	CPS-LIB-007	Grants: LSCA (Library Services and Construction), LSTA (Library Services and Technology), IMLS (Institute of Museum & Library Services) , and PLF (Public Library Foundation) ONLY . For all others, follow City-wide Schedule. (SUCCESSFUL Reports, and Financial Information) Send copy of application and award to Administrative Services	Final Expenditure + 5 years		When No Longer Required - Minimum Final Expenditure + 5 years		Mag, Mfr, OD, Ppr	S		Per California State Library Records Management Program Requirements (April 27, 1998); GC §34090
Commun. & Public Services / Library	CPS-LIB-008	Historical Records of Significant Historical Value	Placed in Library Collection (P)		Placed in Library Collection (P)	Yes	Mag, Mfr, OD, Ppr	S	No	Department Preference; GC §34090
Commun. & Public Services / Library	CPS-LIB-009	Library Board of Trustees Agendas, Agenda Packets	1 year	P	P		Mag, Ppr			Brown Act challenges must be filed within 30 or 90 days of action; GC §§34090, 54960.1(c)(1)

RECORDS RETENTION SCHEDULE - EMERGENCY MANAGEMENT

Office of Record	Retention No.	Records Description	Retention / Disposition							Comments / Reference
(OFR)			Active (in office)	Inactive (Records Manag. or Imaged)	Total Retention	Vital?	Media Options	Image: I=Import M=Mfr S=Scan	Destroy Paper after Imaged & QC'd	
<i>If the record is not listed here, refer to the Retention for City-Wide Standards</i>										
<i>Retentions begin when the act is completed, and imply a full file folder (e.g. last document + 2 years), since destruction is normally performed by file folder.</i>										
<i>Litigation, claims, complaints, public records requests, audits and/or investigations suspend normal retention periods (retention begins after settlement).</i>										
Fire Emergency Manag.	FIR-EMG-001	Citizen's Emergency Response Training / Neighborhood Training Course Records, Roster, etc.	5 years	5 years	10 years		Mag, Ppr			Department Preference; GC §34090
Fire Emergency Manag.	FIR-EMG-002	Emergency Plans / Disaster Preparedness Manuals, etc.	Superseded + 2 years		Superseded + 2 years	Yes	Mag, Mfr, OD, Ppr	S / I	Yes: After Superseded	Department Preference (copies); GC §34090.7
Fire Emergency Manag.	FIR-EMG-003	EOC Activations & After Action Reports	When No Longer Required		When No Longer Required		Mag, Ppr			Send all FEMA / OES claims documentation to Finance; GC §34090 et seq.
Fire Emergency Manag.	FIR-EMG-004	Public Information / Disaster Preparedness Public Education (when produced internally)	When No Longer Required - Minimum 2 years		When No Longer Required - Minimum 2 years		Mag, Ppr			Department Preference; GC §34090

RECORDS RETENTION SCHEDULE: ENGINEERING

Office of Record	Retention No.	Records Description	Retention / Disposition							Comments / Reference
(OFR)			Active (in office)	Inactive (Records Manag. or Imaged)	Total Retention	Vital?	Media Options	Image: I=Import M=Mfr S=Scan	Destroy Paper after Imaged & QC'd?	
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Planning	ENG-040	Specific Plans	Acceptance of Improvement	3 years	Acceptance of Improvement + 5 years		Mag, Ppr			Department Preference; GC §34090 et seq.
Engineering	ENG-041	Standard Drawings / Standard Construction Drawings / Details / Plans	P		P		Mag, Mfr, OD, Ppr	S/I	No	Department Preference; GC §34090
Engineering	ENG-042	Storm Drain Atlas / Land Atlas	P		P		Mag, Ppr			Department Preference; GC §34090
Engineering	ENG-043	Stormwater - Water Quality	3 years	2 years	5 years		Mag, Ppr			Department Preference; NPDES Monitoring records required for 3 years in Federal law; 40 CFR §§122.21, 122.41; <u>122.44</u>
Engineering	ENG-044	Stormwater Agencies (Correspondence, etc.)	<u>23</u> years	<u>37</u> -years	<u>540</u> years		Mag, Ppr			Department Preference; NPDES Monitoring records required for 3 years in Federal law; 40 CFR §§122.21, 122.41; <u>122.44</u>
Engineering	ENG-045	Stormwater Enforcement Actions: Notices of Compliance (NOCs)	<u>23</u> years	<u>37</u> -years	<u>540</u> years		Mag, Ppr			Department Preference; NPDES Monitoring records required for 3 years in Federal law; 40 CFR §§122.21, 122.41; <u>122.44</u>
Engineering	ENG-046	Stormwater Enforcement Actions: Notices of Violations (NOVs)	<u>23</u> years	<u>37</u> -years	<u>540</u> years		Mag, Ppr			Department Preference; NPDES Monitoring records required for 3 years in Federal law; 40 CFR §§122.21, 122.41; <u>122.44</u>

RECORDS RETENTION SCHEDULE: ENGINEERING

Office of Record	Retention No.	Records Description	Retention / Disposition							Comments / Reference
(OFR)			Active (in office)	Inactive (Records Manag. or Imaged)	Total Retention	Vital?	Media Options	Image: I=Import M=Mfr S=Scan	Destroy Paper after Imaged & QC'd?	
If the record is not listed here, refer to the Retention for City-Wide Standards										
Retentions begin when the act is completed, and imply a full file folder (e.g. last document + 2 years), since destruction is normally performed by file folder.										
Litigation, claims, complaints, audits, public records requests, and/or investigations suspend normal retention periods (retention resumes after settlement).										
Engineering	ENG-047	Stormwater Inspections / Illicit Connections / Illicit Discharges / Notice of Corrections	<u>2</u> 3 years	<u>3</u> 7 years	<u>5</u> 10 years		Mag, Ppr			Department Preference; NPDES Monitoring records required for 3 years in Federal law; 40 CFR §§122.21, 122.41; <u>122.44</u>
Engineering	ENG-048	Stormwater NPDES Permits	Superseded + 7 years		Superseded + 7 years		Mag, Ppr			Department Preference; NPDES Monitoring records required for 3 years in Federal law; 40 CFR §§122.21, 122.41; <u>122.44</u>
Engineering	ENG-049	Stormwater Permit Reports Summaries & Backup Data	5 years		5 years		Mag, Ppr			Department Preference; NPDES Monitoring records required for 3 years in Federal law; 40 CFR §§122.21, 122.41; <u>122.44</u>
Engineering	ENG-050	Stormwater Program Spending	5 years		5 years		Mag, Ppr			Department Preference; GC §34090.7
Engineering	ENG-051	Stormwater Videos	5 years		5 years		Mag, Ppr			NPDES Monitoring records required for 3 years in Federal law; 40 CFR §§122.21, 122.41, <u>122.44</u>
Engineering	ENG-052	Street Vacation / Abandonment Working File	Until Recordation		Until Recordation		Mag, Ppr			The City Clerk is OFR for all final recorded documents; Preliminary drafts not retained in the ordinary course of business; GC §34090 et seq.

RECORDS RETENTION SCHEDULE - FIRE

Office of Record	Retention No.	Records Description	Retention / Disposition						Comments / Reference
(OFR)			Active (in office)	Inactive (Records Manag. or Imaged)	Total Retention	Vital?	Media Options	Image: I=Import M=Mfr S=Scan	Destroy Paper after Imaged & QC'd
<i>If the record is not listed here, refer to the Retention for City-Wide Standards</i>									
<i>Retentions begin when the act is completed, and imply a full file folder (e.g. last document + 2 years), since destruction is normally performed by file folder.</i>									
<i>Litigation, claims, complaints, public records requests, audits and/or investigations suspend normal retention periods (retention begins after settlement).</i>									
FIRE ADMINISTRATION									
Fire / Admin.	FIR-ADM-001	Apparatus & Equipment Records & Testing	Disposal + 2 years		Disposal + 2 years		Mag, Ppr		Department Preference to be in compliance with NFPA Standards for in-service automotive fire apparatus ; NFPA 1911.4.7.3 & Annex C.5 ; Statute of Limitations for Health Providers is 3 years ; OSHA requires 1 year; State requires 2 years; Statewide guidelines propose 2 years; 8 Cal Code Reg. §3203(b)(1), CCP §340.5, GC §34090
Fire / Admin.	FIR-ADM-002	Claims: Office of Emergency Services / FEMA Reports / FEMA Reimbursements / EOC Activations / Strike Team Reimbursements	10 years		10 years		Mag, Ppr		Department Preference to allow for FEMA audits (up to 6 years & 3 months from the date of the final inspection report); Uniform Admin. Requirements for Grants to Local Governments is 3 years from expenditure report or final payment of grantee or subgrantee; statewide guidelines propose 4 years; (Also See Grants on City-wide); GC §34090 et seq.
Fire / Admin.	FIR-ADM-016	Continuing Education Provider Records	Expiration + 4 years	6 years	Expiration + 10 years		Mag, Ppr		Department Preference; GC § 34090 et seq.
Fire / Admin.	FIR-ADM-004	Fire Incident Image Transdatabases Fire Incident RMS-Database	Indefinite		Indefinite	Yes	Mag		Department Preference; Data is interrelated; GC §34090 et seq.

RECORDS RETENTION SCHEDULE - FIRE

Office of Record	Retention No.	Records Description	Retention / Disposition							Comments / Reference
(OFR)			Active (in office)	Inactive (Records Manag. or Imaged)	Total Retention	Vital?	Media Options	Image: I=Import M=Mfr S=Scan	Destroy Paper after Imaged & QC'd	
<i>If the record is not listed here, refer to the Retention for City-Wide Standards</i>										
<i>Retentions begin when the act is completed, and imply a full file folder (e.g. last document + 2 years), since destruction is normally performed by file folder.</i>										
<i>Litigation, claims, complaints, public records requests, audits and/or investigations suspend normal retention periods (retention begins after settlement).</i>										
Fire / Admin. OR Fire Prevention or Police (for Arson)	FIR-ADM-003	Fire Incident Reports	When No Longer Required		When No Longer Required	Yes	Mag, Ppr			Department Preference; data is in RMS database; GC §34090 et seq.
Fire / Admin.	FIR-ADM-005	ISO Insurance Ratings	15 years		15 years		Mag, Mfr, OD, Ppr	S / I	Yes: When Superseded	Department Preference (rated every 10 years); GC §34090
Fire / Admin.	FIR-ADM-017	Joint Apprenticeship Committee (JAC) Training Records	End of Apprenticeship + 5 years		End of Apprenticeship + 5 years		Mag, Ppr			Department Preference; GC § 34090 et seq.
City Clerk	FIR-ADM-006	Mutual Aid Agreements, Joint Power Authorities	Copies - When No Longer Required		Copies - When No Longer Required		Mag, Mfr, OD, Ppr			Originals Maintained by City Clerk or County Clerk of the Board Permanently; GC §34090.7
Fire / Admin.	FIR-ADM-007	Personnel Background Packet - Unsuccessful (not hired - Fire Only)	35 years		35 years		Mag, Ppr			Department Preference; EEOC / FLSA / ADEA (Age) requires 1-3 years for selection records; State Law requires 2 - 3 years; 29 CFR 1602 et seq & 1627.3(a)(5) and (6), 2 CCR 7287.0(c)(2), 8 CCR §11040(7.(c)), GC §§12946, 34090
Fire / Admin.	FIR-ADM-018	Probationary Testing Records	3 years		3 years		Mag, Ppr			Department Preference; 2 CCR 11013(c); GC §§12946, 34090

RECORDS RETENTION SCHEDULE - FIRE

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(OFR)			Active (in office)	Inactive (Records Manag. or Imaged)	Total Retention	Vital?	Media Options	Image: I=Import M=Mfr S=Scan	Destroy Paper after Imaged & QC'd	
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Fire / Admin.	FIR-ADM-008	Programs and Projects	When No Longer Required - Minimum 2 years		When No Longer Required - Minimum 2 years		Mag, Ppr			Department Preference; GC § 34090 et seq.
Fire / Admin.	FIR-ADM-019	Promotional Testing	3 years		3 years		Mag, Ppr			Department Preference; 2 CCR 11013(c); GC §§12946, 34090
Fire / Admin.	FIR-ADM-009	Reports: Annual Reports	P		P		Mag, Mfr, OD, Ppr	S/I	No	Retained for historical and administrative value; GC §34090
Fire / Admin.	FIR-ADM-010	Reports: Monthly	When No Longer Required		When No Longer Required		Mag, Ppr			Preliminary Drafts (Database is Original); GC §34090
Fire / Admin.	FIR-ADM-020	Santa Ana College (SAC) Training Records	5 years		5 years		Mag, Ppr			Department Preference; GC § 34090 et seq.
Fire / Admin.	FIR-ADM-012	Station Log Books (Incidents - kept at Fire Stations)	When No Longer Required - Minimum 2 years	P	P		Mag, Mfr, OD, Ppr	S/I	No	Retained for historical and administrative value; GC §34090
Fire / Admin.	FIR-ADM-013	Time Cards / Time Sheets / Timecard Entry / Overtime Slips (prior to Kronos)	2 years	3 years	5 years		Mag, Ppr			IRS: 4 yrs after tax is due or paid; Ca. FTB: 3 years; Articles show 7 years; 26 CFR 31.6001-1, R&T §19530; 29 CFR 516.5 - 516.6, 29 USC 436, GC §34090
Fire / Admin.	FIR-ADM-014	Fire Only Vehicle Safety Checks / Daily Vehicle Inspections / Daily Equipment Checks	2 years		2 years		Ppr			GC §34090
FIRE ADMINISTRATION - TRAINING										

RECORDS RETENTION SCHEDULE - FIRE

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<i>Litigation, claims, complaints, public records requests, audits and/or investigations suspend normal retention periods (retention begins after settlement).</i>										
EMERGENCY MANAGEMENT										
Fire / Emergency Manag.	FIR-EMG-001	Citizen's Emergency Response Training / Neighborhood Training	5-years	5-years	10-years		Mag, Ppr			Department Preference; GC-§34090
Fire / Emergency Manag.	FIR-EMG-002	Emergency Plans / Disaster Preparedness Manuals, etc.	Superseded +2 years		Superseded +2 years	Yes	Mag, Mfr, OD, Ppr	S/I	Yes: After Superseded	Department Preference (copies); GC-§34090.7
Fire / Emergency Manag.	FIR-EMG-003	EOC Activations & After Action Reports	When No Longer Required		When No Longer Required		Mag, Ppr			Send all FEMA / OES claims documentation to Finance; GC-§34090 et seq.
Fire / Emergency Manag.	FIR-EMG-004	Public Information / Disaster Preparedness Public Education (when produced internally)	When No Longer Required		When No Longer Required		Mag, Ppr			Department Preference; GC-§34090

RECORDS RETENTION SCHEDULE - FIRE

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EMERGENCY MEDICAL SERVICES										
Fire / EMS	FIR-EMS-001	Controlled Substance Logs and Inventories	7 years		7 years		Mag, Ppr			Department Preference - required for 2 years after inventory or transaction; Suppliers of Hemodialysis drugs & devices are required to keep their records 3 years; 16 CCR 1790; 21 CFR §1304.04, 1310.04
Fire / EMS	FIR-EMS-002	EMS Complaints / CQI (Continuous Quality Improvement) / Quality Assurance	3 years		3 years		Mag, Ppr			Statute of Limitations for health providers is 3 years; 13 CCR 1100.7, UFC §104.3.2, §104.3.4, GC §34090
Fire / EMS	FIR-EMS-003	HIPAA Policies and Procedures (Health Insurance Portability and Accountability Act)	Superseded + 6 years		Superseded + 6 years		Mag, Mfr, OD, Ppr	S	Yes: After 1 year	45 CFR 164.530(j)
Fire / EMS	FIR-EMS-004	Mandated Reporting: Child Abuse, Elder Abuse, etc.	2 years		2 years	Yes	Ppr			GC §34090
Fire / EMS	FIR-EMS-005	Paramedic Temp Training Files/Certificates Paramedic Training Files / Paramedic Certificates	Expiration + 4 years		Expiration + 4 years		Mag, Mfr, OD, Ppr	S	Yes: After 1 year	Recertification required every 2 years; ICEMA Protocol requires 4 years; GC §34090

RECORDS RETENTION SCHEDULE - FIRE

Office of Record	Retention No.	Records Description	Retention / Disposition							Comments / Reference
(OFR)			Active (in office)	Inactive (Records Manag. or Imaged)	Total Retention	Vital?	Media Options	Image: I=Import M=Mfr S=Scan	Destroy Paper after Imaged & QC'd	
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Fire / EMS	FIR-EMS-006	Patient Care Reports / PCRs / Paramedic Release Forms (EMS transportation): ADULTS	3 years	7 years	10 years		Mag, Mfr, OD, Ppr	S	Yes: After 1 year	<p>Department Preference; adults required for 7 years; minors until 1 year after age 18, but not less than 7 years; 10 years is recommended by AHIMA for "healthcare providers"; Statute of Limitations for health providers is 3 years; ICEMA Protocol requires 7 years; California Healthcare Association recommends Acute Care Facilities retain adult records for ten years following discharge; Juvenile records are required until patient becomes 18 years old; law requires 7 years for clinics, health facilities, hospitals, adult day health care centers, and in-home skilled nursing services, and is actually based upon "if the licensee ceases operations"; Statute of Limitations for health providers is 3 years; Federal law requires 3 years; statewide guidelines propose 3 years; HIPAA provides privacy regulations for patient's health records; CCP §340.5, GC §34090; H&S §§1797.98(e) 123145; 42 CFR 482.24(b); 9 CCR 9444, 22 CCR 70751(c) & 71551(c); 22 CCR 70751(c), 71551(c), 73543(a), 74731(a), 75055(a), 75343(a), 77440(a), 77440(b), 77440(c), 77440(d), 77440(e), 77440(f), 77440(g), 77440(h), 77440(i), 77440(j), 77440(k), 77440(l), 77440(m), 77440(n), 77440(o), 77440(p), 77440(q), 77440(r), 77440(s), 77440(t), 77440(u), 77440(v), 77440(w), 77440(x), 77440(y), 77440(z)</p>
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RECORDS RETENTION SCHEDULE - FIRE

Office of Record	Retention No.	Records Description	Retention / Disposition							Comments / Reference
(OFR)			Active (in office)	Inactive (Records Manag. or Imaged)	Total Retention	Vital?	Media Options	Image: I=Import M=Mfr S=Scan	Destroy Paper after Imaged & QC'd	
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Litigation, claims, complaints, public records requests, audits and/or investigations suspend normal retention periods (retention begins after settlement).										
Fire / EMS	FIR-EMS-007	Patient Care Reports / PCRs / Paramedic Release Forms (EMS transportation): JUVENILES	3 years	17 years	20 years		Mag, Mfr, OD, Ppr	S	Yes: After 1 year	Department Preference; adults required for 7 years; minors until 1 year after age 18, but not less than 7 years ; 10 years is recommended by AHIMA for "healthcare providers"; Statute of Limitations for health providers is 3 years; ICEMA-Protocol requires 7 years; California Healthcare Association recommends Acute Care Facilities retain adult records for ten years following discharge; Juvenile records are required until patient becomes 18 years old; law requires 7 years for clinics, health facilities, hospitals, adult day health care centers, and in-home skilled nursing services, and is actually based upon "if the licensee ceases operations"; Statute of Limitations for health providers is 3 years; Federal law requires 3 years; statewide guidelines propose 3 years; HIPAA provides privacy regulations for patient's health records; CCP §340.5, GC §34090; H&S §§1797.98(e), 123145; 42 CFR 482.24(b); 9 CCR 9444, 22 CCR 70751(c) & 71551(c); 22 CCR 70751(c), 71551(c), 73543(a), 74731(a), 75055(a), 75343(a), 77446(a), 77446(b), 77446(c), 77446(d), 77446(e), 77446(f), 77446(g), 77446(h), 77446(i), 77446(j), 77446(k), 77446(l), 77446(m), 77446(n), 77446(o), 77446(p), 77446(q), 77446(r), 77446(s), 77446(t), 77446(u), 77446(v), 77446(w), 77446(x), 77446(y), 77446(z)

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77446(p), 77446(q), 77446(r), 77446(s), 77446(t), 77446(u), 77446(v), 77446(w), 77446(x), 77446(y), 77446(z)

Adopted 11/16/2011

Revised Chapter 1, Section 110.3

RECORDS RETENTION SCHEDULE - FIRE

Office of Record	Retention No.	Records Description	Retention / Disposition							Comments / Reference
(OFR)			Active (in office)	Inactive (Records Manag. or Imaged)	Total Retention	Vital?	Media Options	Image: I=Import M=Mfr S=Scan	Destroy Paper after Imaged & QC'd	
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Litigation, claims, complaints, public records requests, audits and/or investigations suspend normal retention periods (retention begins after settlement).										
FIRE MARSHAL / FIRE PREVENTION										
Fire / Fire Marshal & Fire Prevention	FIR-PRE-001	Building Occupancy Files: Business Inspection Files / Operational Permits / Citations / Notice of Violations	Life of Building - Minimum 5 years		Life of Building - Minimum 5 years		Mag, Mfr, OD, Ppr	S/I	Yes: After 5 years	California Fire Code requires 5 years; Allows the removal and purging of these records in the event the address file is too large; CFC Appendix Chapter 1 §§ 104.6 – 104.6.4, GC §34090
Planning & Building	FIR-PRE-002	Conditions of Approval	When No Longer Required		When No Longer Required		Mag, Ppr			Preliminary Drafts or Copies; GC §34090 et seq.
Fire / Fire Marshal & Fire Prevention	FIR-PRE-003	Fire Code Permits / Special Event Permits / Fire Works Permits (assembly permits, candle permits, tent permits, fire hydrant use, open flame, etc.)	5 years		5 years	Yes: Before Event	Mag, Mfr, OD, Ppr	S/I	Yes: After 5 years	CFC §§ 104.6 – 104.6.4, GC §34090
Fire / Fire Marshal & Fire Prevention	FIR-PRE-010	Fire Sprinkler Testing / Backflows NFPA 25 Inspection, Testing, and Maintenance of Water-Based Fire Protection Systems	Minimum 2 years		Minimum 2 years		Mag, Ppr			NFPA standards require life of the system for original (installation) records; 1 year for subsequent records (inspections, tests and maintenance); NFPA 25 §§4.34 & 4.3.5
Fire / Fire Marshal & Fire Prevention	FIR-PRE-007	Fire System Construction Plans (Alarm, Sprinkler, etc.)	1 year	Life of Building	Life of Building		Mag, Mfr, OD, Ppr	S/I	Yes: After QC	Department Preference (copies - Building is the OFR); GC §34090.87
Fire / Fire Marshal & Fire Prevention	FIR-PRE-004	Investigation Reports - Capital Crimes & Suspected Capital Crimes (Arson, etc)	P		P		Mag, Mfr, OD, Ppr	S/I	Yes: After QC	Department Preference (no statute of limitations on these incidents/crimes); California Fire Code requires <u>5.3</u> years; CFC §§ 104.6 – 104.6.4, GC §34090

RECORDS RETENTION SCHEDULE - FIRE

Office of Record	Retention No.	Records Description	Retention / Disposition							Comments / Reference
(OFR)			Active (in office)	Inactive (Records Manag. or Imaged)	Total Retention	Vital?	Media Options	Image: I=Import M=Mfr S=Scan	Destroy Paper after Imaged & QC'd	
If the record is not listed here, refer to the Retention for City-Wide Standards										
Retentions begin when the act is completed, and imply a full file folder (e.g. last document + 2 years), since destruction is normally performed by file folder.										
Litigation, claims, complaints, public records requests, audits and/or investigations suspend normal retention periods (retention begins after settlement).										
Fire / Fire Marshal & Fire Prevention	FIR-PRE-005	Investigation Reports - Criminal & Citations (Administrative, Infraction, or Misdemeanor), Service Requests	5 years		5 years		Mag, Ppr			Department Preference ; California Fire Code requires 5-3 years; CFC §§ 104.6 – 104.6.4, GC §34090
Fire / Fire Marshal & Fire Prevention	FIR-PRE-006	Juvenile Fire Setter	Minimum 5 years or Age 18		Minimum 5 years or Age 18		Mag, Ppr			Department Preference; GC §34090 et seq.
Building	FIR-PRE-008	Plans (DAB, Construction & Tenant Improvements)	Copies - When No Longer Required		Copies - When No Longer Required		Mag, Mfr, OD, Ppr	S/I	Yes: After 5 years	Copies; GC §34090.7
Fire / Admin.	FIR-PRE-009	Pre-Fire Plans	When Superseded		When Superseded		Mag, Ppr			GC §34090 et seq.

RECORDS RETENTION SCHEDULE: HOUSING AGENCY

Office of Record	Retention No.	Records Description	Retention / Disposition							Comments / Reference
(OFR)			Active (in office)	Inactive (Records Manag. or Imaged)	Total Retention	Vital?	Media Options	Image: I=Import M=Mfr S=Scan	Destroy Paper after Imaged & QC'd?	
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<i>Litigation, claims, complaints, audits, public records requests, and/or investigations suspend normal retention periods (retention resumes after settlement).</i>										
Housing Agency	HSN-001	Affordable Housing Projects & Services - NO RECAPTURE / RESALE RESTRICTIONS (Compliance Monitoring)	2 years (1 year in office, 1 year in Records Center)	3 years	5 years	Yes: Until Paid	Mag, Mfr, OD, Ppr	S / I	Yes: 1 year	HUD requires 5 years after the project completion; documents imposing recapture / resale restrictions are 5 years after the affordability period terminates; Uniform Admin. Requirements for Grants to Local Governments is 3 years from expenditure report; statewide guidelines propose 4 years; 24 CFR 85.42, 92.508(a)&(c) & 570.502(a)(16), 29 CFR 97.42, GC §34090

RECORDS RETENTION SCHEDULE: HOUSING AGENCY

Office of Record	Retention No.	Records Description	Retention / Disposition							Comments / Reference
(OFR)			Active (in office)	Inactive (Records Manag. or Imaged)	Total Retention	Vital?	Media Options	Image: I=Import M=Mfr S=Scan	Destroy Paper after Imaged & QC'd?	
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<i>Retentions begin when the act is completed, and imply a full file folder (e.g. last document + 2 years), since destruction is normally performed by file folder.</i>										
<i>Litigation, claims, complaints, audits, public records requests, and/or investigations suspend normal retention periods (retention resumes after settlement).</i>										
Housing Agency	HSN-002	Affordable Housing Projects & Services - WITH RECAPTURE / RESALE RESTRICTIONS (Compliance Monitoring).	2 years (1 year in office, 1 year in Records Center)	5 years After the Affordability Period Terminates, or the Written Agreement Terminates, Whichever is Longer	5 years After the Affordability Period Terminates, or the Written Agreement Terminates, Whichever is Longer	Yes: Until Paid	Mag, Mfr, OD, Ppr	S / I	Yes: 1 year	HUD requires 5 years after the project completion; documents imposing recapture / resale restrictions are 5 years after the affordability period terminates; Uniform Admin. Requirements for Grants to Local Governments is 3 years from expenditure report; statewide guidelines propose 4 years; 24 CFR 85.42, 92.508(a)&(c) & 570.502(a)(16), 29 CFR 97.42, GC §34090
Housing Agency	HSN-003	Applications for Loans: Rejected (First Time Home Buyers, Rehabilitation, etc.)	1 year	4 years	5 years		Mag, Ppr			Department Preference; GC §34090
Housing Agency	HSN-004	Cares Grant - From Housing Set-Aside (Landscape, etc.)	1 year	4 years	5 years		Mag, Ppr			Department Preference (meets auditing standards); GC §34090
Admin. Services / Mgmt.	HSN-005	Financial Services Database (PeopleSoft)	Indefinite		Indefinite	Yes	Mag			Data Fields / Records are interrelated; GC §34090
Housing Agency	HSN-006	Quiet Home / Airport Noise Compatibility - Acquisitions	1 year	2 years	3 years		Mag, Ppr			Department Preference; GC §34090
Housing Agency	HSN-007	Quiet Home / Airport Noise Compatibility - Part 150 - Plan & Appendices	1 year	2 years	3 years		Mag, Ppr			Department Preference; GC §34090

RECORDS RETENTION SCHEDULE: HUMAN RESOURCES

Office of Record	Retention No.	Records Description	Retention / Disposition							Comments / Reference
(OFR)			Active (in office)	Inactive (Records Manag. or Imaged)	Total Retention	Vital?	Media Options	Image: I=Import M=Mfr S=Scan	Destroy Paper after Imaged & QC'd?	
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<i>Litigation, claims, complaints, audits, public records requests, and/or investigations suspend normal retention periods (retention resumes after settlement).</i>										
Human Resources	HRD-001	Classification / Reorganization Studies (for employee classifications and department structures)	When No Longer Required - Minimum 3 years		When No Longer Required - Minimum 3 years		Mag, Ppr			Department Preference; EEOC/FLSA/ADEA (Age) requires 3 years for promotion, demotion, transfer, selection, or discharge; State Law requires 2 - 3 years; retirement benefits is 6 years from last action; 29 CFR 1602.31 & 1627.3(b)(2), GC §§12946, 34090; 29 USC 1113
Human Resources	HRD-002	Compensation Surveys & Studies	When No Longer Required - Minimum 3 years		When No Longer Required - Minimum 3 years		Mag, Ppr			Department Preference; EEOC/FLSA/ADEA (Age) requires 3 years for promotion, demotion, transfer, selection, or discharge; State Law requires 2 - 3 years; retirement benefits is 6 years from last action; 29 CFR 1602.31 & 1627.3(b)(2), 8 CCR §3204(d)(1) et seq., GC §§12946, 34090; 29 USC 1113
Human Resources	HRD-003	Equal Opportunity Employment - Complaints / Department of Fair Employment & Housing (DFEH or EEOC) Claims - EMPLOYEES	When No Longer Required - Minimum Separation + 3 years		When No Longer Required - Minimum Separation + 3 years		Mag, Ppr			Department Preference; All State and Federal laws require retention until final disposition of formal complaint; State requires 2 years after "fully and finally disposed"; 2-CCR-7287-0 ; <u>2-CCR 11013(c)</u> ; GC §§12946, 34090

RECORDS RETENTION SCHEDULE: HUMAN RESOURCES

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Human Resources	HRD-004	Equal Opportunity Employment - Complaints / Department of Fair Employment & Housing (DFEH or EEOC) Claims - NON-EMPLOYEES	When No Longer Required - Minimum Resolution + 3 years		When No Longer Required - Minimum Resolution + 3 years		Mag, Ppr			Department Preference; All State and Federal laws require retention until final disposition of formal complaint; State requires 2 years after "fully and finally disposed"; 2-CGR-7287.0 ; GC §§12946, 34090
Human Resources	HRD-005	Equal Opportunity Employment - EEOC Reports (EEO-4 Reports)	3 years		3 years		Mag, Ppr			29 CFR 1602.30; 29 CFR 1602.32
Human Resources	HRD-006	Grievances	When No Longer Required - Minimum Separation + 3 years		When No Longer Required - Minimum Separation + 3 years		Mag, Ppr			Department Preference; EEOC/FLSA/ADEA (Age) requires 3 years for promotion, demotion, transfer, selection, or discharge; State Law requires 2 - 3 years; 229 CFR 1602.31 & 1627.3(b)(1), GC §§12946, 12960, 34090; 29 USC 1113, LC 1174
Human Resources	HRD-007	Human Resources Management Databases (PeopleSoft, Training, etc.)	Indefinite		Indefinite	Yes	Mag			Data Fields / Records are interrelated; GC §34090

RECORDS RETENTION SCHEDULE: HUMAN RESOURCES

Office of Record	Retention No.	Records Description	Retention / Disposition							Comments / Reference
(OFR)			Active (in office)	Inactive (Records Manag. or Imaged)	Total Retention	Vital?	Media Options	Image: I=Import M=Mfr S=Scan	Destroy Paper after Imaged & QC'd?	
<i>If the record is not listed here, refer to the Retention for City-Wide Standards</i>										
<i>Retentions begin when the act is completed, and imply a full file folder (e.g. last document + 2 years), since destruction is normally performed by file folder.</i>										
<i>Litigation, claims, complaints, audits, public records requests, and/or investigations suspend normal retention periods (retention resumes after settlement).</i>										
Human Resources	HRD-008	I-9s	Separation + 3 years		Separation + 3 years		Mag, Ppr			Non-citizens must re-certify periodically; RICA recommends 1 year from termination or 3 years from hiring, whichever is later; EEOC / FLSA / ADEA (Age) requires 3 years for "any other forms of employment inquiry"; State Law requires 2 -3 years; 8 CFR 274a.2; 29 CFR 1627.3(b)(i); GC §§12946, 34090; INA 274A(b)(3) ; INS Rule 274a.1(b)(2) .
Human Resources	HRD-009	Job Descriptions / Job Specifications	When No Longer Required - Minimum Superseded / Deleted	When No Longer Required - Minimum Superseded / Deleted + 30 years	When No Longer Required - Minimum Superseded / Deleted + 30 years		Mag, Ppr			Department Preference; EEOC/FLSA/ADEA (Age) requires 3 years for promotion, demotion, transfer, selection, or discharge; State Law requires 2 - 3 years; retirement benefits is 6 years from last action; 29 CFR 1602.31 & 1627.3(b)(2), 8 CCR §3204(d)(1) et seq., GC §§12946, 34090; 29 USC 1113
Human Resources	HRD-010	LiveScan Response Analysis Sheets - Employees Includes subsequent arrest notifications	When No Longer Required		When No Longer Required		Mag, Ppr			Department Preference; clearances are documented in the Personnel file; DOJ allows retention for legitimate business needs; must be maintained in a secure and confidential file; DOJ Information Bulletin No. 02-17-BCII; GC§ 34090 et seq.

RECORDS RETENTION SCHEDULE: HUMAN RESOURCES

Office of Record	Retention No.	Records Description	Retention / Disposition							Comments / Reference
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<i>Retentions begin when the act is completed, and imply a full file folder (e.g. last document + 2 years), since destruction is normally performed by file folder.</i>										
<i>Litigation, claims, complaints, audits, public records requests, and/or investigations suspend normal retention periods (retention resumes after settlement).</i>										
Human Resources	HRD-015	Personnel Files - HR Working File Includes ADA Accommodations	Separation + 1 year	2 years	When No Longer Required - Minimum Separation + 3 years	Yes: Until Separation	Mag, Ppr			Department Preference; statute of limitations for retirement benefits is 6 years from last action; EEOC/FLSA/ADEA (Age) requires 3 years for promotion, demotion, transfer, selection, or discharge; State Law requires 2 - 3 years; 29 CFR 1602.31 & 1627.3(b)(ii), 8 CCR §3204(d)(1) et seq. , GC §§12946, 60201; 29 USC 1113
Human Resources	HRD-016	Personnel Files - General File - All Employees	Separation + 1 year	29 years		Yes: Until Separation	Mag, Ppr			Department Preference; statute of limitations for retirement benefits is 6 years from last action; EEOC/FLSA/ADEA (Age) requires 3 years for promotion, demotion, transfer, selection, or discharge; State Law requires 2 - 3 years; 29 CFR 1602.31 & 1627.3(b)(ii), 8 CCR §3204(d)(1) et seq. , GC §§12946, 60201; 29 USC 1113
Human Resources	HRD-017	Personnel Rules	Superseded + 3 years	P			Mag, Mfr, OD, Ppr	S	Yes: After QC	Department Preference; 29 CFR 1602 et seq & 1627.3(a)(5) and (6), 2 CCR 7287-0(e)(2) , 8 CCR §11040(7.(c)), GC §§12946, 34090

RECORDS RETENTION SCHEDULE: HUMAN RESOURCES

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<i>Retentions begin when the act is completed, and imply a full file folder (e.g. last document + 2 years), since destruction is normally performed by file folder.</i>										
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Human Resources	HRD-018	Recruitment / Applicant Tracking Database (NeoGov)	When No Longer Required - Minimum 3 years		When No Longer Required - Minimum 3 years		Mag			Department Preference; EEOC / FLSA / ADEA (Age) requires 1-3 years; State Law requires 2 - 3 years; 29 CFR 1602 et seq & 1627.3(a)(5) and (6), 2-CCR-7287.0(e)(2) , 8 CCR §11040.(c)), GC §§12946, 34090
Human Resources	HRD-019	Recruitment Files (Includes Applications (Unsuccessful.) Advertisements, Job Brochures, Test Data, Rating Sheets, Questions, Eligibility Lists, Reference Checks, etc.)	When No Longer Required - Minimum List Expiration + 1 year	4 years	List Expiration + 5 years		Mag, Ppr			Department Preference; EEOC / FLSA / ADEA (Age) requires 1-3 years; State Law requires 2 - 3 years; 29 CFR 1627.3(b)(i), 29 CFR 1602.14 et seq. GC §§12946, 34090
Human Resources	HRD-020	Retirement Program (PERS) - Contract Administration Files	When No Longer Required - Minimum 10 years		When No Longer Required - Minimum 10 years		Mag, Ppr			Department Preference; Covers E&O Statute of Limitations; Published Audit Standards=4-7 years; Statute of Limitations: Contracts & Spec's=4 years, Wrongful Death=comp. + 5 years, Developers=comp. + 10 years; Statewide guidelines propose termination + 5 years; CCP §337 et. seq., GC §34090
Human Resources	HRD-021	Rideshare / AQMD Projects	3 years		3 years		Mag, Ppr			Department Preference; AQMD rule 2201(j)(7); GC §§12946, 34090

RECORDS RETENTION SCHEDULE: INFORMATION TECHNOLOGY

Office of Record	Retention No.	Records Description	Retention / Disposition							Comments / Reference
(OFR)			Active (in office)	Inactive (Records Manag. or Imaged)	Total Retention	Vital?	Media Options	Image: I=Import M=Mfr S=Scan	Destroy Paper after Imaged & QC'd?	
<i>If the record is not listed here, refer to the Retention for City-Wide Standards</i>										
<i>Retentions begin when the act is completed, and imply a full file folder (e.g. last document + 2 years), since destruction is normally performed by file folder.</i>										
<i>Litigation, claims, complaints, audits, public records requests, and/or investigations suspend normal retention periods (retention resumes after settlement).</i>										
Information Technology	IT-001	Backups Tapes / Disks - Daily / Weekly	When No Longer Required		When No Longer Required	Yes	Mag.			Used for Disaster Recovery Purposes Only; Considered a copy and can be destroyed when no longer required; GC §34090 et seq.
Information Technology	IT-002	Backups Tapes / Disks - Monthly (Excludes Mail Serve / Mail Archive)	When No Longer Required		When No Longer Required	Yes	Mag.			Used for Disaster Recovery Purposes Only; Considered a copy and can be destroyed when no longer required; stored off-site; GC §34090 et seq.
Lead Dept.	IT-003	GIS Database / Data / Layers (both City-wide and Specialized)	When No Longer Required		When No Longer Required	Yes	Mag			The Lead Department should print out historical documents (or save source data) prior to replacing the data, if they require the data or output for historical purposes; Department Preference (Preliminary documents); GC §34090 et seq.
Information Technology	IT-004	IT Service Requests	When No Longer Required		When No Longer Required	Yes	Mag.			Preliminary documents not retained in the ordinary course of business; GC §34090 et seq.
Information Technology	IT-005	Network Configuration Maps & Plans	When No Longer Required		When No Longer Required	Yes	Mag.			Preliminary documents not retained in the ordinary course of business; GC §34090 et seq.
Information Technology	IT-006	Software Licenses, Warrantees, Installation Media	When No Longer Used		When No Longer Used		Mag.			Department Preference; GC §34090 et seq.
Information Technology	IT-007	Telephone Invoice Backup (not sent to Financial Services)	2 years	3 years	5 years	Yes: Until Paid	Mag, Mfr, OD, Ppr	S / I	Yes: After 1 year	Meets municipal government auditing standards; Statewide guidelines propose audit + 4 years; GC §34090

RECORDS RETENTION SCHEDULE: INFORMATION TECHNOLOGY

Office of Record	Retention No.	Records Description	Retention / Disposition							Comments / Reference
(OFR)			Active (in office)	Inactive (Records Manag. or Imaged)	Total Retention	Vital?	Media Options	Image: I=Import M=Mfr S=Scan	Destroy Paper after Imaged & QC'd?	
<i>If the record is not listed here, refer to the Retention for City-Wide Standards</i>										
<i>Retentions begin when the act is completed, and imply a full file folder (e.g. last document + 2 years), since destruction is normally performed by file folder.</i>										
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Information Technology	IT-008	Video Recordings - Public Areas, Parking Lots, etc.	When No Longer Required		When No Longer Required		Mag			Does not record "regular and ongoing operations"; GC §34090 et seq.
Information Technology	IT-009	Video Recordings - Temporary Holding Facility Surveillance, Revenue & Business License Cashier Areas	1 year		1 year		Mag			Records regular and ongoing operations; GC §34090.6(a)
Information Technology	IT-010	WORM / DVD-r / CD-r / Blue Ray-R or other unalterable media that does not permit additions, deletions, or changes		P	P		OD			For legal compliance for Trustworthy Electronic Records (when the electronic record serves as the official record); GC 60200, 12168.7, EVC 1550, CCR 22620 et seq.

RECORDS RETENTION SCHEDULE: MUNICIPAL UTILITIES COMPANY

Office of Record	Retention No.	Records Description	Retention / Disposition							Comments / Reference
(OFR)			Active (in office)	Inactive (Records Manag. or Imaged)	Total Retention	Vital?	Media Options	Image: I=Import M=Mfr S=Scan	Destroy Paper after Imaged & QC'd?	
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HOUSING & MUNICIPAL SERVICES AGENCY EQUIPMENT & FACILITIES SERVICES										
Municipal Utilities / Housing & Municipal Services Agency Equipment & Facilities Services	MUC- H&MSA EF5-001	AQMD Permits (Generators, etc.)	<u>5 years</u> Current + 2 years		<u>5 years</u> Current + 2 years		Mag, Ppr			Department Preference; <u>40 CFR 70.6</u> ; GC §34090
Municipal Utilities / Housing & Municipal Services Agency Equipment & Facilities Services	MUC- H&MSA EF5-002	Certifications: Overhead Crane, Vehicles, etc.	5 years		5 years		Mag, Ppr			Department Preference; City has "cradle to grave" liability); only 3 years is mandated; 22 CCR 66262.40; GC §34090 OSHA records are required to be retained for 5 years; 8 CCR 14300.33(a); 8 CCR 344.80 & 81; GC §60201 et seq.; LC §6429e

RECORDS RETENTION SCHEDULE: MUNICIPAL UTILITIES COMPANY

Office of Record	Retention No.	Records Description	Retention / Disposition							Comments / Reference
(OFR)			Active (in office)	Inactive (Records Manag. or Imaged)	Total Retention	Vital?	Media Options	Image: I=Import M=Mfr S=Scan	Destroy Paper after Imaged & QC'd?	
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Municipal Utilities / Housing & Municipal Services Agency Equipment & Facilities Services	MUC-H&MSA EFS -003	Disposal Receipts / Manifests -- Hazardous Waste / Certificates of Disposal	5 years	P	P		Mag, Ppr			Department Preference (test results for hazardous waste generators are required for 3 years); 8 CCR 3204(d)(1)(B), 22 CCR 66262.40
Municipal Utilities / Housing & Municipal Services Agency Equipment & Facilities Services	MUC-H&MSA EFS -004	Generator Operation Logs (for fixed / stationary generators) / Inspections	3 years		3 years		Mag, Ppr			Department Preference (2 years is required by AQMD); GC §34090
Municipal Utilities / Housing & Municipal Services Agency Equipment & Facilities Services	MUC-H&MSA EFS -005	Parts Inventory Database	When No Longer Required		When No Longer Required		Mag, Ppr			Preliminary drafts; GC §34090

RECORDS RETENTION SCHEDULE: MUNICIPAL UTILITIES COMPANY

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Municipal Utilities / Housing & Municipal Services Agency Equipment & Facilities Services	MUC-H&MSA-EFS-006	Pressure Vessel Certifications or Permits (Air Compressors, CNG Tank, Propane, etc.)	Current + 2 Previous Certificates		Current + 2 Previous Certificates		Mag, Mfr, OD, Ppr	S	Yes: After QC	Department Preference; GC §34090 et. seq.
Municipal Utilities / Housing & Municipal Services Agency Equipment & Facilities Services	MUC-H&MSA-EFS-007	Pre-Trip Inspections / DOT Program / CHP Inspections / Vehicle Safety Checks / Daily Vehicle Inspections / Daily Equipment Checks	2 years		2 years		Ppr			13 CCR 1234(e) ; GC §34090
Municipal Utilities / Housing & Municipal Services Agency Equipment & Facilities Services	MUC-H&MSA-EFS-008	Street Light Maintenance	2 years		2 years		Mag, Ppr			GC §34090

RECORDS RETENTION SCHEDULE: MUNICIPAL UTILITIES COMPANY

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Municipal Utilities / Housing & Municipal Services Agency Equipment & Facilities Services	MUC- H&MSA EFS-009	Surveys Issued by US Department of Energy for Alternative Fuel Vehicles	2 years		2 years		Mag, Ppr			GC §34090
Municipal Utilities / Housing & Municipal Services Agency Equipment & Facilities Services	MUC- H&MSA EFS-010	Underground Service Alerts (USA's) -- City	10 years		10 years		Mag, Ppr			Department Preference (required for 3 years); the warrantee period for work done is usually 5 years, the Statute of Limitations for some work may be up to 10 years; CCP §337 et seq., GC §§4216.2(d) & 4216.3(d), GC §34090

RECORDS RETENTION SCHEDULE: MUNICIPAL UTILITIES COMPANY

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Municipal Utilities / Housing & Municipal Services Agency Equipment & Facilities Services	MUC- H&MSA EFS -011	Underground Storage Tank (City Owned) UST Monitoring, Inspections and Maintenance, Release Detection Systems, Cathodic Protection Maintenance Records	7 years		7 years		Mag, Ppr			Monitoring and Maintenance records are required on site for 3 years, 6 ½ years for cathodic protection maintenance, 5 years for calibration & maintenance of release detection systems; 23 CCR 2712(b); H&S §25284.24(i)
Municipal Utilities / Housing & Municipal Services Agency Equipment & Facilities Services	MUC- H&MSA EFS -012	Underground Storage Tanks - USTs (City Owned) Repairs, Lining, Upgrades	Life of the Tank		Life of the Tank		Mag, Mfr, OD, Ppr	S	Yes: After 1 year	23 CCR 2712(b), H&S §25284.24(i)
Municipal Utilities / Housing & Municipal Services Agency Equipment & Facilities Services	MUC- H&MSA EFS -013	Underground Storage Tanks (City-Owned) Location, Soil Remediation, Monitoring Well Records	10 years	P	P		Mag, Mfr, OD, Ppr	S	Yes: After 1 year	Department Preference (required for the life of the tank); 23 CCR 2712(b), H&S §25284.24(i); GC §34090 et. seq.

RECORDS RETENTION SCHEDULE: MUNICIPAL UTILITIES COMPANY

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Municipal Utilities / Housing & Municipal Services Agency Equipment & Facilities Services	MUC- H&MSA EFS-014	Used Oil Disposal	3 years		3 years		Mag, Ppr			22 CCR 66266.130(c)(5), H&S §25250.18(b), 25250.19(a)(3) et seq.
Municipal Utilities / Housing & Municipal Services Agency Equipment & Facilities Services	MUC- H&MSA EFS-015	Vehicle, Equipment & Radio History Files Maintenance, CHP tickets, Smog Certificates, Registrations	Disposal of Vehicle or Equipment + 2 years		Disposal of Vehicle or Equipment + 2 years		Mag, Ppr			Department Preference; If a motor carrier, required for 18 months after vehicle is sold; CHP requires life of vehicle; OSHA requires 1 year; 8 CCR § 3203(b)(1); 49 CFR 396.21(b)(1); 49 CFR 396.3(c); CCP §337 et. seq., 13 CCR 1234(f); GC §34090
Municipal Utilities / Division Providing Service / Work	MUC- H&MSA EFS-016	Work Orders / Service Requests CMMS DATABASE (Computerized Maintenance Management System)	Indefinite		Indefinite		Mag			Data is interrelated; GC §34090

RECORDS RETENTION SCHEDULE: MUNICIPAL UTILITIES COMPANY

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Municipal Utilities / Division Providing Service / Work	MUC- H&MSA EFS-017	Work Orders / Service Requests - All Information Entered in CMMS Database	When No Longer Required		When No Longer Required		Mag Ppr			Preliminary drafts (the database is the original); GC §34090
Municipal Utilities / Division Providing Service / Work	MUC- H&MSA EFS-018	Work Orders / Service Requests - NOT entered in CMMS Database (or partial information entered into CMMS Database) (Division providing service retains originals; Division requesting service is considered a copy)	5 years		5 years		Mag Ppr			City Preference; CCP §§338 et seq., 340 et seq., 342, GC §§945.6, GC §34090

RECORDS RETENTION SCHEDULE: MUNICIPAL UTILITIES COMPANY

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Municipal Utilities / HHW & Recycling	MUC-HHW-006	Recycling Events (e-waste, etc.)	When No Longer Required - Minimum 2 years		When No Longer Required - Minimum 2 years		Mag, Ppr			Department Preference; GC §34090
Municipal Utilities / HHW & Recycling	MUC-HHW-007	San Bernardino County Business Emergency Contingency Plan	When No Longer Required		When No Longer Required		Mag, Ppr			Non-records (The County is the Office of Record); GC §34090 et seq.
Municipal Utilities / HHW & Recycling	MUC-HHW-008	State Operating Permit (County on City Property)	5 years	P	P		Mag, Mfr, OD, Ppr	S / I	Yes: 5 years	Department Preference; GC §34090 et seq.
Municipal Utilities / HHW & Recycling	MUC-HHW-009	Tire Recycling Permits & Manifests	5 years	P	P		Mag, Mfr, OD, Ppr	S / I	Yes: 5 years	Department Preference; GC §34090 et seq. <u>14 CCR 18459.3</u>

RECORDS RETENTION SCHEDULE: MUNICIPAL UTILITIES COMPANY

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Municipal Utilities / Wastewater Collection & Water Dist.	MUC-WAS-005	Confined Space Entries	<u>2</u> 3 years		2 3 years		Mag, Ppr			8 CCR 5157(c)(6); GC §34090 Code of Federal Regulations requires 3 years ; 40 CFR 122.41(j)(2)
Municipal Utilities / Wastewater Collection	MUC-WAS-006	Correspondence - Regulatory Agencies	When No Longer Required - Minimum 2 years		When No Longer Required - Minimum 2 years	Yes: While Active Issues	Mag, Ppr			Department Preference; Some correspondence from Regulatory Agencies need to be retained for long periods of time; GC §34090
Municipal Utilities / Wastewater Collection	MUC-WAS-007	Flow Measurements	When No Longer Required - Minimum 3 years		When No Longer Required - Minimum 3 years		Mag, Ppr			Department Preference; GC §34090
Municipal Utilities / Wastewater Collection	MUC-WAS-008	Industrial Pre-Treatment Files (by Address)	When No Longer Required - Minimum 3 years		When No Longer Required - Minimum 3 years		Mag, Mfr, OD, Ppr	S / I	Yes: 5 years	Department Preference; GC §34090
Municipal Utilities / Wastewater Collection	MUC-WAS-009	Lift Station - Inspections, Maintenance, Repairs, Service Requests, Alarm Recording, Logs, Charts, Flow Monitoring, Voltage Readings, Permits	When No Longer Required - Minimum 2 years		When No Longer Required - Minimum 2 years		Mag, Ppr			Department Policy; WC §13263.2(b) et seq.; 40 CFR 122.41(j)(2)GC §34090

RECORDS RETENTION SCHEDULE: MUNICIPAL UTILITIES COMPANY

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<i>Litigation, claims, complaints, audits, public records requests, and/or investigations suspend normal retention periods (retention resumes after settlement).</i>										
Municipal Utilities / Wastewater Collection	MUC-WAS-022	Sewer System Management Plans (SSMP)	<u>5 years</u> Until- Superseded		<u>5 years</u> Until- Superseded <u>Minimum 2-</u> <u>years</u>		Mag Ppr			Department Preference; <u>plans must be updated</u> <u>every 5 years, audits are</u> <u>required every 2 years;</u> <u>SWRCB Order 2006-03;</u> <u>40 CFR 122.41(j)(2); GC</u> <u>\$34090</u>
<u>Municipal</u> <u>Utilities /</u> <u>Wastewater</u> <u>Collection</u>	<u>MUC-WAS-023</u>	<u>Source Control / FOG (Fats, Oil</u> <u>& Grease) / POTW (Publicly</u> <u>Owned Treatment Works) Pre-</u> <u>treatment of wastewater</u>	<u>3 years</u>		<u>3 years</u>	—	<u>Mag Ppr</u>			<u>40 CFR 403.12; GC</u> <u>\$34090</u>
Lead Depart.	MUC-WAS-016	Underground Service Alerts (USA's) -- City	10 years		10 years		Mag, Ppr			Department Preference (required for 3 years); the warrantee period for work done is usually 5 years, the Statute of Limitations for some work may be up to 10 years; CCP §337 et seq., GC §§4216.2(d) & 4216.3(d), GC §34090
Municipal Utilities / Wastewater Collection	MUC-WAS-017	Waste Discharge Monitoring Reports	5 years		5 years		Mag, Ppr			Department Preference; Monitoring records required for 3 years in Federal law; 40 CFR §§122.21, 122.41

RECORDS RETENTION SCHEDULE: MUNICIPAL UTILITIES COMPANY

Office of Record	Retention No.	Records Description	Retention / Disposition							Comments / Reference
(OFR)			Active (in office)	Inactive (Records Manag. or Imaged)	Total Retention	Vital?	Media Options	Image: I=Import M=Mfr S=Scan	Destroy Paper after Imaged & QC'd?	
<i>If the record is not listed here, refer to the Retention for City-Wide Standards</i>										
<i>Retentions begin when the act is completed, and imply a full file folder (e.g. last document + 2 years), since destruction is normally performed by file folder.</i>										
<i>Litigation, claims, complaints, audits, public records requests, and/or investigations suspend normal retention periods (retention resumes after settlement).</i>										
Municipal Utilities / Wastewater Collection	MUC-WAS-018	Wastewater / Audits, Sanitary Sewer Overflows (SSOs)	5 years		5 years		Mag, Ppr			Department Preference; plans must be updated every 5 years, audits are required every 2 years; SSOs are Required for a minimum of 5 years; 40 CFR 122.41(i)(2); SWRCB Order 2006-03; 40 CFR 122.41(i)(2); GC §34090
Municipal Utilities / Division Providing Service / Work	MUC-WAS-019	Work Orders / Service Requests CMMS DATABASE (Computerized Maintenance Management System)	Indefinite		Indefinite		Mag			Data is interrelated; GC §34090
Municipal Utilities / Division Providing Service / Work	MUC-WAS-020	Work Orders / Service Requests - All Information Entered in CMMS Database	When No Longer Required		When No Longer Required		Mag Ppr			Preliminary drafts (the database is the original); GC §34090

RECORDS RETENTION SCHEDULE: MUNICIPAL UTILITIES COMPANY

Office of Record	Retention No.	Records Description	Retention / Disposition							Comments / Reference
(OFR)			Active (in office)	Inactive (Records Manag. or Imaged)	Total Retention	Vital?	Media Options	Image: I=Import M=Mfr S=Scan	Destroy Paper after Imaged & QC'd?	
<i>If the record is not listed here, refer to the Retention for City-Wide Standards</i>										
<i>Retentions begin when the act is completed, and imply a full file folder (e.g. last document + 2 years), since destruction is normally performed by file folder.</i>										
<i>Litigation, claims, complaints, audits, public records requests, and/or investigations suspend normal retention periods (retention resumes after settlement).</i>										
Municipal Utilities / Water Ops	MUC-WAT-004	Capital Improvement Projects (CIP) / Field Contracts - Where Water Operations is the Lead: Permanent File Plans, Specifications, Materials Testing Reports, Grading Permits & Studies, Hazardous Materials Plans, Notice of Completion, Photos, Rights of Way, Soils Reports, Soil Compaction Tests, Studies, Submittals, Surveys, etc. Successful Proposal / Bid, Change Orders, and Contracts / Agreements are filed in the City Clerk's Office	Upon Completion	P	P	Yes: Until Completed	Mag, Mfr, OD, Ppr	S/I	Yes: Comple. + 10 years	Department Preference; retained for disaster preparedness purposes; Statewide guidelines propose Permanent for Infrastructure plans; GC §34090
Public Works / Water Dist.	MUC-WAT-005	Chains of Custody / Water Analysis & Sampling / Tabular Summaries : Bacteriological & Organics	2 years	3 years	5 years		Mag, Mfr, OD, Ppr	S / I	Yes: 2 years	Actual laboratory reports may be kept, or data may be transferred to tabular summaries; State law requires 5 years; 40 CFR 141.33(a) and (b)(1); 22 CCR §64470

RECORDS RETENTION SCHEDULE: MUNICIPAL UTILITIES COMPANY

Office of Record	Retention No.	Records Description	Retention / Disposition							Comments / Reference
(OFR)			Active (in office)	Inactive (Records Manag. or Imaged)	Total Retention	Vital?	Media Options	Image: I=Import M=Mfr S=Scan	Destroy Paper after Imaged & QC'd?	
<i>If the record is not listed here, refer to the Retention for City-Wide Standards</i>										
<i>Retentions begin when the act is completed, and imply a full file folder (e.g. last document + 2 years), since destruction is normally performed by file folder.</i>										
<i>Litigation, claims, complaints, audits, public records requests, and/or investigations suspend normal retention periods (retention resumes after settlement).</i>										
Public Works / Water Dist.	MUC-WAT-006	Chains of Custody / Water Analysis & Sampling / Tabular Summaries : Chemical	2 years	8 years	10 years		Mag, Mfr, OD, Ppr	S / I	Yes: 2 years	Actual laboratory reports may be kept, or data may be transferred to tabular summaries; State law requires 10 years; 40 CFR 141.33(a); 22 CCR §64470
Public Works / Water Dist.	MUC-WAT-007	Chains of Custody / Water Analysis & Sampling / Tabular Summaries : Lead & Copper	2 years	10 years	12 years		Mag, Mfr, OD, Ppr	S / I	Yes: 2 years	Lead and Copper are required for 12 years or 2 compliance cycles (some compliance cycles are nine years); 22 CCR 64400.20; 22 CCR 64690.80
Municipal Utilities / Wastewater Collection & Water Dist.	MUC-WAT-008	Confined Space Entries	2 3 years		2 3 years		Mag, Ppr			8 CCR 5157(c)(6); GC §34090 Code of Federal Regulations requires 3- years; 40 CFR 122.41(j)(2)
Municipal Utilities / Water Ops	MUC-WAT-009	Customer Concerns / Customer Complaints: Odor / Taste / Visual Complaints	5 years		5 years		Mag, Ppr			5 years is required in State and Federal law for any complaints; 40 CFR 122.41(j)(2) & 40 CFR 141.33(b); 22 CCR 64470

RECORDS RETENTION SCHEDULE: MUNICIPAL UTILITIES COMPANY

Office of Record	Retention No.	Records Description	Retention / Disposition							Comments / Reference
(OFR)			Active (in office)	Inactive (Records Manag. or Imaged)	Total Retention	Vital?	Media Options	Image: I=Import M=Mfr S=Scan	Destroy Paper after Imaged & QC'd?	
<i>If the record is not listed here, refer to the Retention for City-Wide Standards</i>										
<i>Retentions begin when the act is completed, and imply a full file folder (e.g. last document + 2 years), since destruction is normally performed by file folder.</i>										
<i>Litigation, claims, complaints, audits, public records requests, and/or investigations suspend normal retention periods (retention resumes after settlement).</i>										
Municipal Utilities / Solid Waste, Wastewater & Water Ops	MUC-WAT-017	Prop. 218 Fees & Charges: Undeliverable Mail (Special Districts) Water Only - Contracted	3 months		3 months		Ppr			Transitory records not retained in the ordinary course of business; GC §34090
Municipal Utilities / Water Ops	MUC-WAT-033	Sanitary Surveys of Drinking Water Systems	10 years		10 years		Mag, Ppr			22 CCR §64470; 40 CFR 141.33(c) GC §34090
Municipal Utilities / Water Ops	MUC-WAT-018	SCADA Database (Supervisory Control and Data Acquisition)	Indefinite		Indefinite	Yes	Mag			Data is interrelated; system qualifies as a "trusted system"; GC §§34090, 12168.7
Lead Depart.	MUC-WAT-019	Underground Service Alerts (USA's) -- City	10 years		10 years		Mag, Ppr			Department Preference (required for 3 years); the warrantee period for work done is usually 5 years, the Statute of Limitations for some work may be up to 10 years; CCP §337 et seq., GC §§4216.2(d) & 4216.3(d), GC §34090
Municipal Utilities / Water Ops	MUC-WAT-020	Urban Water Management Plans (UWMP)	Until Superseded		Until Superseded	Yes	Mag, Mfr, OD, Ppr	S	Yes: After 10 years	Department Preference (copies) GC §34090.7
Municipal Utilities / Water Ops	MUC-WAT-021	Videos - Water Wells, Repairs, Reservoirs, Tanks, etc.	P		P		Mag			Department Preference; GC §34090

RECORDS RETENTION SCHEDULE: REDEVELOPMENT / SUCCESSOR AGENCY

Office of Record	Retention No.	Records Description	Retention / Disposition							Comments / Reference
(OFR)			Active (in office)	Inactive (Records Manag. or Imaged)	Total Retention	Vital?	Media Options	Image: I=Import M=Mfr S=Scan	Destroy Paper after Imaged & QC'd?	
<i>If the record is not listed here, refer to the Retention for City-Wide Standards</i>										
<i>Retentions begin when the act is completed, and imply a full file folder (e.g. last document + 2 years), since destruction is normally performed by file folder.</i>										
<i>Litigation, claims, complaints, audits, public records requests, and/or investigations suspend normal retention periods (retention resumes after settlement).</i>										
City Clerk	RED-001	Deeds / Order of Condemnation	Copies - When No Longer Required		Copies - When No Longer Required	Yes (all)	Mag, Mfr, OD, Ppr	S	No	Send originals to the City Clerk; GC §34090.7
City Clerk	RED-002	Notes, Trust Deeds and Loan Agreements	Copies - When No Longer Required		Copies - When No Longer Required	Yes (all)	Mag, Mfr, OD, Ppr	S	No	Send originals to the City Clerk; GC §34090.7
County	RED-003	Property Tax Schedule	When No Longer Required		When No Longer Required		Mag, Ppr			County is the lead; GC §34090
Redev. Agency L Successor Agency	RED-004	Proposals (Consultants - (Unsolicited) City Clerk is OFR for all other proposals	When No Longer Required - Minimum 2 years		When No Longer Required - Minimum 2 years		Mag, Ppr			Department Preference; GC §34090
Redev. Agency L Successor Agency	RED-005	Proposed Projects / Potential Projects (Developers)	When No Longer Required - Minimum 2 years		When No Longer Required - Minimum 2 years	Yes: While Active Issues	Mag, Ppr			Department Preference; GC §34090
Lead Dept. (Who Ordered the Appraisal)	RED-006	Real Estate Appraisal Reports (Acquisition or Sale): Property NOT purchased, Loans not funded, etc.	When No Longer Required - Minimum 2 years		When No Longer Required - Minimum 2 years		Mag, Ppr			Not accessible to the public; Statewide Guidelines show 2 years; GC §§34090, 6254(h)

Office of Record	Retention No.	Records Description	Retention / Disposition							Comments / Reference
(OFR)			Active (in office)	Inactive (Records Manag. or Imaged)	Total Retention	Vital?	Media Options	Image: I=Import M=Mfr S=Scan	Destroy Paper after Imaged & QC'd?	
<i>If the record is not listed here, refer to the Retention for City-Wide Standards</i>										
<i>Retentions begin when the act is completed, and imply a full file folder (e.g. last document + 2 years), since destruction is normally performed by file folder.</i>										
<i>Litigation, claims, complaints, audits, public records requests, and/or investigations suspend normal retention periods (retention resumes after settlement).</i>										
Lead Dept. (Who Ordered the Appraisal)	RED-007	Real Estate Appraisal Reports (Acquisition or Sale): Purchased / Sold Property, Funded Loans	2 years	When No Longer Required - Minimum 3 years	When No Longer Required - Minimum 5 years	Yes: Before Purchase	Mag, Mfr, OD, Ppr	S	Yes: After Inactive	Not accessible to the public until purchase has been completed; meets grant auditing requirements; 24 CFR 85.42(b), 24 CFR 91.105(h), 24 CFR 97.42(b), 24 CFR 570.502(b); 29 CFR 97.42, GC §34090
Redev. Agency / Successor Agency / City Clerk	RED-008	Real Property: Acquisition File	2 years	When No Longer Required - Minimum 3 years	When No Longer Required - Minimum 5 years		Mag, Mfr, OD, Ppr	S	No	Send all Title and Insurance to the City Clerk (meets municipal government auditing requirements); GC §34090
Redev. Agency / Successor Agency / City Clerk	RED-009	Real Property: Disposition File (Sale of Real Property)	2 years	When No Longer Required - Minimum 3 years	When No Longer Required - Minimum 5 years		Mag, Ppr			Send all Title and Insurance to the City Clerk (meets municipal government auditing requirements); GC §34090
City Clerk	RED-010	Redevelopment Plans & Amendments	Copies - When No Longer Required		Copies - When No Longer Required	Yes (all)	Mag, Mfr, OD, Ppr	S	No	Send originals to the City Clerk; GC §34090.7
Redev. Agency / Successor Agency	RED-011	Redevelopment Project Files: Environmental, Soils, & Geology Studies	Project Completion + 5 years	P	P	Yes: Before Completion	Mag, Mfr, OD, Ppr	S	No	Department Preference; GC §34090

RECORDS RETENTION SCHEDULE: REDEVELOPMENT / [SUCCESSOR AGENCY](#)

Office of Record	Retention No.	Records Description	Retention / Disposition							Comments / Reference
(OFR)			Active (in office)	Inactive (Records Manag. or Imaged)	Total Retention	Vital?	Media Options	Image: I=Import M=Mfr S=Scan	Destroy Paper after Imaged & QC'd?	
<i>If the record is not listed here, refer to the Retention for City-Wide Standards</i>										
<i>Retentions begin when the act is completed, and imply a full file folder (e.g. last document + 2 years), since destruction is normally performed by file folder.</i>										
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Redev. Agency / Successor Agency	RED-012	Redevelopment Project Files: OTHER Than Environmental, Soils, & Geology Studies	Project Completion + 5 years	5 years	Project Completion + 10 years	Yes: Before Completion	Mag, Mfr, OD, Ppr	S	No	Department Preference; Statute of Limitations is 4 years; 10 years for Errors & Omissions; land records are permanent by law; CCP §§337. 337.1(a), 337.15, 343; GC §34090,
Housing Agency OR Redevelop. / Successor Agency	RED-013	Relocation Files	Settle + 1 year	Settle + 4 years	Settle + 5 years	Yes: Until Settlement	Mag, Mfr, OD, Ppr	S	Yes: After Inactive	Consistent with Claims; CCP §§ 337 et seq.; GC §§ 945, 34090, 34090.6; PC §832.5
Admin. Services	RED-014	Reports: Statutory Statement of Indebtedness / Annual Report to State / State Controllers Report	Copies - When No Longer Required		Copies - When No Longer Required		Mag, Mfr, OD, Ppr	S	Yes: After 2 years	GC §34090.7

RECORDS RETENTION SCHEDULE: RISK MANAGEMENT

Office of Record	Retention No.	Records Description	Retention / Disposition							Comments / Reference
(OFR)			Active (in office)	Inactive (Records Manag. or Imaged)	Total Retention	Vital?	Media Options	Image: I=Import M=Mfr S=Scan	Destroy Paper after Imaged & QC'd?	
<i>If the record is not listed here, refer to the Retention for City-Wide Standards</i>										
<i>Retentions begin when the act is completed, and imply a full file folder (e.g. last document + 2 years), since destruction is normally performed by file folder.</i>										
<i>Litigation, claims, complaints, audits, public records requests, and/or investigations suspend normal retention periods (retention resumes after settlement).</i>										
Risk Manag.	RSK-001	Accident Reports that do Not result in a Claim / Patron Injury Reports (Public Injuries)	2 years		2 years		Mag, Ppr			GC §34090
Risk Manag.	RSK-002	Claims - Liability	Settlement + 1 year	5 years	Settlement + 6 years	Yes: Until Resolution	Mag, Mfr, OD, Ppr	S	Yes: After 5 years	Department Preference; Covers various statute of limitations; CCP §§ 337 et seq.; GC §§ 911.2, 945.6, 34090, 34090.6; PC §832.5
Risk Manag.	RSK-003	Cost Estimates for Damage to City Property (damaged stop signs, signals, vehicle accident repair, etc.)	Copies - When No Longer Required		Copies - When No Longer Required Until Separation	Yes: Before Payment	Mag, Ppr			All originals go to Finance (these are copies); GC §34090.7
Risk Manag.	RSK-004	DMV - Employee Certification Form	Until Separation		Until Separation		Mag, Ppr			GC §34090
Risk Manag.	RSK-005	DMV Pull Notices	When Superseded		When Superseded		Mag, Ppr			CHP audits every 2 years; Bureau of National Affairs recommends 2 years for all supplementary Personnel records; GC §34090
Risk Manag.	RSK-006	Drug Testing Program / DOT Testing Program - Drug & Alcohol Test Results	2 years	3 years	5 years		Mag Ppr			D.O.T. Requires 5 years for positive tests, refusals, annual summaries, etc, 1 year for negative tests; EEOC / FLSA / ADEA (Age) requires 3 years physical examinations; State Law requires 2 years; 29 CFR 1627.3(b)(1)(v), GC §§12946, 34090; 49 CFR 655.71 et seq.; 49 CFR 382.401 et seq. <u>49 CFR 653.71</u>

RECORDS RETENTION SCHEDULE: RISK MANAGEMENT

Office of Record	Retention No.	Records Description	Retention / Disposition							Comments / Reference
(OFR)			Active (in office)	Inactive (Records Manag. or Imaged)	Total Retention	Vital?	Media Options	Image: I=Import M=Mfr S=Scan	Destroy Paper after Imaged & QC'd?	
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<i>Retentions begin when the act is completed, and imply a full file folder (e.g. last document + 2 years), since destruction is normally performed by file folder.</i>										
<i>Litigation, claims, complaints, audits, public records requests, and/or investigations suspend normal retention periods (retention resumes after settlement).</i>										
Risk Manag.	RSK-007	Insurance Policies: General Liability, Property, Public Employee Bonds / Fidelity Bonds / Dishonesty, etc.	When No Longer Required	P	P	Yes while current	Mag, Mfr, OD, Ppr	S	Yes: After 5 years	Department Preference; Statute of Limitations: Public official misconduct is discovery of offense + 4 years, retirement benefits is 6 years from last action; statewide guidelines propose Termination + 6 years; GC §§36507, 34090; PC §§801.5, 803(c); 29 USC 1113
Risk Manag.	RSK-008	OSHA Inspections & Citations, Log 200 and Log 300, 301, 301A, etc.	2 years	3 years	5 years		Ppr			Calif. Labor Division is required to keep their records 7 years; OSHA requires 5 years; State law requires 2 years; 8 CCR §3203(b)(1), GC §34090; LC §6429(c)
Risk Manag.	RSK-009	Pre-Employment Physicals, DOT Physicals, Breathing Apparatus Fit Tests are retained in Fire's Medical File	Separation + 1 year	29 years	Separation + 30 years		Mag Ppr			Department Preference; Files maintained separately; Claims can be made for 30 years for toxic substance exposure; 8 CCR §3204(d)(1) et seq., 29 CFR 1910.1020(d)(1)(i) , GC §§12946, 34090
Risk Manag.	RSK-010	Risk Management Database	Indefinite		Indefinite	Yes	Mag			Data Fields / Records are interrelated; GC §34090

RECORDS RETENTION SCHEDULE: RISK MANAGEMENT

Office of Record	Retention No.	Records Description	Retention / Disposition							Comments / Reference
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<i>Litigation, claims, complaints, audits, public records requests, and/or investigations suspend normal retention periods (retention resumes after settlement).</i>										
Risk Manag.	RSK-011	Workers' Compensation / Employee Accident Reports - FUTURE MEDICAL AWARDS Includes all Accident, Incident, or Injury Reports and associated MSDS, Refusal of Medical Treatment of an Industrial Accident	Until Closed	Separation + 75 years	Separation + 75 years		Mag, Mfr, OD, Ppr	S	Yes: When Inactive	Department Preference; Claims can be made for 30 years for toxic substance exposure; Claims are required for five years after the end of compensation, or injury, whichever is longer; 8 CCR §3204(d)(1) et seq., 8 CCR 10102, 15400.2; GC §§12946, 34090
Risk Manag.	RSK-012	Workers' Compensation / Employee Accident Reports - NO FUTURE MEDICAL AWARD Includes all Accident, Incident, or Injury Reports and associated MSDS, Refusal of Medical Treatment of an Industrial Accident	Until Closed	Separation + 30 years <u>or Termination of Benefits, whichever is longer</u>	Separation + 30 years <u>or Termination of Benefits, whichever is longer</u>		Mag, Mfr, OD, Ppr	S	Yes: When Inactive	Department Preference; Claims can be made for 30 years for toxic substance exposure; Claims are required for five years after the end of compensation, or injury, whichever is longer; 8 CCR §3204(d)(1) et seq., 8 CCR 10102, 15400.2; GC §§12946, 34090

RECORDS RETENTION SCHEDULE: CITY-WIDE STANDARDS

Office of Record	Retention No.	Records Description	Retention / Disposition							Comments / Reference
(OFR)			Active (in office)	Inactive (Records Manag. or Imaged)	Total Retention	Vital?	Media Options	Image: I=Import M=Mfr S=Scan	Destroy Paper after Imaged & QC'd?	
<i>Retentions apply to the department that is NOT the Office of Record (OFR), or the "Lead Department". If you are the OFR, refer to your department retention schedule.</i>										
<i>Retentions begin when the act is completed, and imply a full file folder (e.g. last document + 2 years), since destruction is normally performed by file folder.</i>										
<i>Litigation, claims, complaints, audits and/or investigations suspend normal retention periods (retention resumes after settlement or completion).</i>										
Records Management	CW-001	Accident / Injury Reports / Patron Incident Form: PUBLIC (Send Employee Reports to Risk Management)	2 years		2 years		Mag, Ppr			GC §34090
Admin. Services / Fiscal Services / Accounts Payable	CW-002	Accounts Payable, Invoices, Petty Cash, Warrant Requests, etc. If ALL backup is forwarded to Finance	Copies - When No Longer Required		Copies - When No Longer Required	Yes: Before Payment	Mag, Ppr			All originals go to Fiscal Services (these are copies); GC §34090.7
Lead Dept.	CW-003	Affidavits of Publications / Public Hearing Notices / Legal Advertising / Affidavits of Posting	2 years		2 years		Mag, Mfr, OD, Ppr			Brown Act challenges must be filed within 30 or 90 days of action; Statute of Limitations on Municipal Government actions is 3 - 6 months; CCP §§337 et seq, 349.4; GC §§34090, 54960.1(c)(1)
City Clerk	CW-004	Agenda Packets / Staff Reports: City Council, Housing Authority, Redevelopment Financing Authority, Redevelopment Agency <u>Successor Agency</u>	Copies - When No Longer Required		Copies - When No Longer Required		Mag, Mfr, OD, Ppr	S	Yes: After 2 years	GC §34090.7

RECORDS RETENTION SCHEDULE: CITY-WIDE STANDARDS

Office of Record	Retention No.	Records Description	Retention / Disposition							Comments / Reference
(OFR)			Active (in office)	Inactive (Records Manag. or Imaged)	Total Retention	Vital?	Media Options	Image: I=Import M=Mfr S=Scan	Destroy Paper after Imaged & QC'd?	
<i>Retentions apply to the department that is NOT the Office of Record (OFR), or the "Lead Department". If you are the OFR, refer to your department retention schedule.</i>										
<i>Retentions begin when the act is completed, and imply a full file folder (e.g. last document + 2 years), since destruction is normally performed by file folder.</i>										
<i>Litigation, claims, complaints, audits and/or investigations suspend normal retention periods (retention resumes after settlement or completion).</i>										
Lead Dept.	CW-005	Agreements & Contracts - ADMINISTRATION RECORDS Project Schedules, Correspondence with Vendor, Insurance Certificates, <u>copies of Invoices, RFP, etc.</u> All original Agreements & Contracts are sent to the City Clerk	Completion	9 years	Completion + 10 years	Yes: Before Completion	Mag, Mfr, OD, Ppr	S/I	Yes: Upon Completion	Covers E&O Statute of Limitations; Published Audit Standards=4-7 years; Statute of Limitations: Contracts & Spec's=4 years, Wrongful Death=comp. + 5 years, Developers=comp. + 10 years; Statewide guidelines propose termination + 5 years; CCP §337 et. seq., GC §34090
City Clerk	CW-006	Agreements & Contracts: UNSUCCESSFUL BIDS, UNSUCCESSFUL PROPOSALS or RESPONSES to RFPs (Request for Proposals) and/or RFQs (Request for Qualifications) that don't result in a contract	Copies - When No Longer Required		Copies - When No Longer Required		Mag, Ppr			GC §34090.7
Lead Dept.	CW-007	Appeals	The Retention of the Appealed Record Series		The Retention of the Appealed Record Series		Mag, Ppr			Department Preference; GC §34090 et seq.
Lead Dept.	CW-008	Awards & Certificates to the City	2 years		2 years		Mag, Ppr			GC §34090

RECORDS RETENTION SCHEDULE: CITY-WIDE STANDARDS

Office of Record	Retention No.	Records Description	Retention / Disposition							Comments / Reference
(OFR)			Active (in office)	Inactive (Records Manag. or Imaged)	Total Retention	Vital?	Media Options	Image: I=Import M=Mfr S=Scan	Destroy Paper after Imaged & QC'd?	
<i>Retentions apply to the department that is NOT the Office of Record (OFR), or the "Lead Department". If you are the OFR, refer to your department retention schedule.</i>										
<i>Retentions begin when the act is completed, and imply a full file folder (e.g. last document + 2 years), since destruction is normally performed by file folder.</i>										
<i>Litigation, claims, complaints, audits and/or investigations suspend normal retention periods (retention resumes after settlement or completion).</i>										
Staffing Dept.	CW-009	Boards, Commissions, & Committees: AUDIO RECORDINGS of Meetings / Audio Tapes	30 days, or After Minutes are Approved, whichever is longer		30 days, or After Minutes are Approved, whichever is longer		Tape- (Mag)			Department Preference; State law only requires for 30 days; GC §54953.5(b)
Staffing Dept.	CW-010	Boards, Commissions, & Committees: Citizens Advisory Bodies Formed by CITY COUNCIL AGENDAS, AGENDA PACKETS	1 year	P	P		Mag, Ppr			Department Preference; GC §34090
Staffing Dept.	CW-011	Boards, Commissions, & Committees: Citizens Advisory Bodies Formed by CITY COUNCIL MINUTES, BYLAWS	1 year	P	P	Yes	Mag, Mfr, OD, Ppr	S	No	GC §34090

RECORDS RETENTION SCHEDULE: CITY-WIDE STANDARDS

Office of Record	Retention No.	Records Description	Retention / Disposition							Comments / Reference
(OFR)			Active (in office)	Inactive (Records Manag. or Imaged)	Total Retention	Vital?	Media Options	Image: I=Import M=Mfr S=Scan	Destroy Paper after Imaged & QC'd?	
<i>Retentions apply to the department that is NOT the Office of Record (OFR), or the "Lead Department". If you are the OFR, refer to your department retention schedule.</i>										
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Dept. that Authors Document or Receives the City's Original Document	CW-023	Correspondence - TRANSITORY / PRELIMINARY DRAFTS , Interagency and Intraagency Memoranda not retained in the ordinary course of business (e.g. calendars, checklists, e-mail or social media postings <u>NOT made or retained for the purpose of preserving the informational content for future reference.</u> that do not have a material impact on the conduct of business ; instant messaging, inventories, invitations, logs, mailing lists, meeting room registrations, speaker slips, supply inventories, telephone messages, transmittal letters, thank yous, requests from other cities, undeliverable envelopes, visitors logs, voice mails, webpages, etc.)	When No Longer Required		When No Longer Required		Mag, Ppr			<u>Electronic and paper records are filed and retained based upon their content.</u> E-mails or social media postings that <u>ARE made or retained for the purpose of preserving the informational content for future reference</u> have a material impact on business are saved by printing them out and placing them in a file folder, or saving them electronically; If not mentioned here, consult the City Attorney to determine if a record is considered transitory / preliminary drafts. GC §§34090, 6252, 6254(a); <u>64 Ops. Cal. Atty. Gen. 317 (1981))</u>

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City Clerk	CW-031	Minutes City Council, Housing Authority, Redevelopment Financing Authority, Redevelopment Agency / Successor Agency	Copies - When No Longer Required		Copies - When No Longer Required	Yes (all)	Mag, Mfr, OD, Ppr	S	No	Originals maintained by City Clerk Permanently; GC §34090.7
Lead Dept.	CW-032	MSDS (Material Safety Data Sheets / SDS (Safety Data Sheets) / Chemical Use Report Form (or records of the chemical / substance / agent, where & when it was used)	30 years		30 years		Mag, Mfr, OD, Ppr	S	Yes (after inactive)	Previous MSDS may be obtained from a service; MSDS may be destroyed as long as a record of the chemical / substance / agent, where & when it was used is maintained for 30 years; Applies to qualified employers; 8 CCR 3204(d)(1)(B)(2 and 3), 29 CFR 910.1020(d)(1)(ii)(B) , GC §34090
City Clerk	CW-033	Municipal Code (these are copies)	Copies - When No Longer Required		Copies - When No Longer Required	Yes: Current Original	Mag, Mfr, OD, Ppr	I	No	Return any whole unused codes to the City Clerk; Originals maintained by City Clerk Permanently; GC §34090
Lead Dept.	CW-034	Newspaper Clippings	When No Longer Required		When No Longer Required		Ppr			Non-records - may be obtained from the newspaper company; GC §34090

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City Clerk	CW-051	Resolutions City Council, Housing Authority, Redevelopment Financing Authority, Redevelopment Agency <u>/</u> Successor Agency	Copies - When No Longer Required		Copies - When No Longer Required	Yes (all)	Mag, Mfr, OD, Ppr	S	No	Originals maintained by City Clerk Permanently; GC §34090.7
City Clerk	CW-052	RFPs (Request for Proposals) and/or RFQs (Request for Qualifications)	Copies - When No Longer Required		Copies - When No Longer Required		Mag, Ppr			GC §34090.7
Lead Dept.	CW-053	Solicitations NOT Managed by Purchasing	2 years	3 years	5 years		Mag, Ppr			Meets municipal government auditing standards; Statewide guidelines propose audit + 4 years; GC §34090
Lead Dept.	CW-054	Speaker Cards (submitted at public meetings)	When No Longer Required		When No Longer Required		Ppr			Transitory records not retained in the ordinary course of business (used to accurately produce minutes); GC §§34090 et seq., 6254(a)
City Clerk	CW-055	Special Event Permits	Copies - When No Longer Required		Copies - When No Longer Required		Mag, Ppr			GC §34090.7

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Admin. Services / Fiscal Services / Payroll	CW-059	Time Sheets / Time Cards / Overtime Sheets / Overtime Cards (Prior to Kronos) ALL DEPARTMENTS EXCEPT Fire, Library, Police, Municipal Utilities, Community & Public Services	Copies - When No Longer Required		Copies - When No Longer Required		Mag, Mfr, OD, Ppr	S	No	Originals maintained by Fiscal Services / Payroll - except for Fire, Library, Police, Municipal Utilities, Community & Public Services; GC §34090.7
Lead Dept.	CW-060	Training - ALL COURSE RECORDS (Attendance Rosters, Outlines and Materials; includes Ethics & Safety training, Tailgate Training Meetings)	2 years	5 years	7 years		Mag, Mfr, OD, Ppr	S	Yes: When Inactive	Department preference; Ethics Training is 5 years; Statewide guidelines propose 7 years; Calif. Labor Division is required to keep their OSHA records 7 years; EEOC/FLSA/ADEA (Age) requires 3 years for promotion, demotion, transfer, selection, or discharge; State Law requires 2 -3 years for personnel actions; 8 CCR §3203 et seq., 29 CFR 1627.3(b)(ii), LC §6429(c); GC §§12946, 34090, 53235.2(b)

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CHIEF OF POLICE / INTERNAL AFFAIRS / INTELLIGENCE										
Police / Admin. / Chief	POL-CHF-001	Canine (Police Dogs) Training Books	When No Longer Required - Minimum 2 years		When No Longer Required - Minimum 2 years		Mag, Ppr			Department Preference; GC §34090 et seq.
Police / Admin. / Chief	POL-CHF-003	General Subject Files	When No Longer Required - Minimum 2 years		When No Longer Required - Minimum 2 years		Mag. Ppr			Department Preference; GC §34090
Police / Admin. / Chief	POL-CHF-002	Informant Files	5 years		5 years		Mag. Ppr			Informant information; Does not contain criminal intelligence information concerning individuals; Department preference; GC §34090

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Police / Admin. / Chief	POL-CHF-004	Intelligence Files	5 years		5 years		Mag, Mfr, OD, Ppr	S/I	Yes: When Superseded	<u>Files contain criminal intelligence information concerning an individual only if there is reasonable suspicion that the individual is involved in criminal conduct or activity and the information is relevant to that criminal conduct or activity.</u> <u>Misleading, obsolete or unreliable information is required to be destroyed;</u> <u>remaining records must not be retained longer than 5 years;</u> <u>28 CFR 23.20(h); GC §34090</u> Misleading, obsolete or unreliable information is required to be destroyed; remaining records must not be retained longer than 5 years; 28 CFR 23.20(h); GC §34090

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ADMINISTRATIVE SERVICES BUREAU / COMMUNICATIONS / CAD / DISPATCH										
Police / AS / Commun.	POL-ASD-001	Audio Recordings or Tapes - (CAD/RMS) Recordings of Telephone & Radio Communications Dispatch Tapes (CAD)	<u>4</u> 2 years		<u>4</u> 2 years		Mag			Department Preference; Statewide guidelines propose 180 days (legally mandated for 100 days); (may be discoverable or made public in some circumstances), GC §§34090, 34090.6
Police / AS / Commun.	POL-ASD-002	Communications Records Logs	2 years		2 years		Mag			Department Preference (preliminary drafts); GC §34090
Police / AS / Commun.	POL-ASD-003	Video Recordings - Public Areas, Parking Lots, etc.	When No Longer Required		When No Longer Required		Mag			Does not record "regular and ongoing operations"; GC §34090 et seq.
ADMINISTRATIVE SERVICES BUREAU / FISCAL SERVICES - See City-Wide Schedule for all other records										
Police / AS / Fiscal Services	POL-ASD-005	Alarm Billing (False Alarms)	5 years		5 years		Mag, Ppr			Meets municipal government auditing standards; GC §34090 et seq.
Police / AS / Fiscal Services	POL-ASD-038	Nurses Invoices - Medical Evidence Collection	2 years	3 years	5 years		Mag, Ppr			Meets municipal government auditing standards; GC §34090 et seq.
Police / AS / Fiscal Services	POL-ASD-006	Time Cards / Time Sheets / Timecard Entry / Overtime Slips (prior to Kronos) Police Only	2 years	3 years	5 years		Mag, Ppr			IRS: 4 yrs after tax is due or paid; Ca. FTB: 3 years; Articles show 7 years; 26 CFR 31.6001-1, R&T §19530; 29 CFR 516.5 - 516.6, 29 USC 436, GC §34090

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ADMINISTRATIVE SERVICES BUREAU / RECORDS DIVISION										
Police / AS / Records	POL-ASD-007	CHP 180 Reports (Tows) - Abandoned, Impounded, Stored	When No Longer Required - Minimum 2 years		When No Longer Required - Minimum 2 years		Mag, Ppr			Department Preference (scanned into RMS database); GC §34090
Police / AS / Records	POL-ASD-008	CHP 180 Reports (Tows) - Outside Recovery, Stolen, Recovered	When No Longer Required - Minimum 2 years		When No Longer Required - Minimum 2 years		Mag, Ppr			Department Preference (scanned into RMS database); GC §34090
Police / AS / Records	POL-ASD-009	Citation Log Books (#s / ranges) - Parking, Traffic	2 years		2 years		Mag, Ppr			GC §34090 et seq.
Police / AS / Records	POL-ASD-010	Citations - Parking, Traffic Includes corrections and voids	2 years		2 years		Mag, Ppr			GC §34090 et seq.
Police / AS / Records	POL-ASD-011	CRIME REPORTS / INCIDENT REPORTS: (includes Warrants) Firearms entered into CLETS (if not Permanent Retention) - Found / Recovered Firearms	Firearm Found or Recovered - Minimum-5- years		Firearm Found or Recovered - Minimum-5- years	Yes	Mag, Mfr, OD, Ppr	S/M/I	Yes: After QC	PC§ 11108(b); GC§ 34090

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Police / AS / Records	POL-ASD-012	CRIME REPORTS / INCIDENT REPORTS: (includes Warrants) ALL, Except Those Specifically Mentioned in the Schedule Criminal & Non-Criminal, Misdemeanors & Felonies, 5150	When No Longer Required - Minimum 5 years		When No Longer Required - Minimum 5 years	Yes	Mag, Mfr, OD, Ppr	S/M/I	Yes: After QC	Department Preference; Provided there are no outstanding warrants, unrecovered identifiable items, criminal deaths, they are not historically significant, and it is not classified under PC §800 & 290 and H&S §11850; Stat. of Limit. is 2 yrs; Destroy juvenile marijuana after age18; H&S §11361.5, GC §34090, PC §802, PC §800 et seq.
Police / AS / Records	POL-ASD-013	CRIME REPORTS / INCIDENT REPORTS: (includes Warrants) Child Abuse or Neglect Investigation Reports— Unsubstantiated or Inconclusive	Close of Investigation	No Further Report on Suspected Abuser + 10 years	No Further Report on Suspected Abuser + 10 years		Mag, Mfr, OD, Ppr	S/M/I	Yes: After QC	PC §§11160(e), 11170(a)(3)
Police / AS / Records	POL-ASD-014	CRIME REPORTS / INCIDENT REPORTS: (includes Warrants) Factually Innocent Petition Accepted Records Sealed Pending Destruction - Except those with outstanding stolen property, including firearms, or lost firearms	Date of Arrest + 3 years		Date of Arrest + 3 years	Yes: Before Disposition	Mag, Mfr, OD, Ppr	S/M/I	Yes: After QC	Individual petitions District Attorney; ("Shall" Destroy); GC §34090; PC §851.8(a)

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Police / AS / Records	POL-ASD-015	CRIME REPORTS / INCIDENT REPORTS: (includes Warrants) FELONIES - SERIOUS, VIOLENT, HOMICIDES, CHILD OR ELDER ABUSE	P		P	Yes	Mag, Mfr, OD, Ppr	S/M/I	Yes: After QC	Department Preference; No limitations on commencement of action; Courts keep permanently PC §§ 261, 286, 288, 288a, 288.5, 289, 289.5, 290, and 799
Police / AS / Records	POL-ASD-016	CRIME REPORTS / INCIDENT REPORTS: (includes Warrants) Juvenile Investigations	Sealing Date + 5 years (Or Court Order)		Sealing Date + 5 years (or Court Order)	Yes: Before Disposition	Mag, Mfr, OD, Ppr	S/M/I	Yes: After QC	Statute of Limitations runs up to age of majority + 8 years; sealed records for juveniles and wards of the Court must be destroyed 5 years after sealing date; CCP §§340.1, GC §34090; W&I §§389(a), 781(d)
Police / AS / Records	POL-ASD-017	CRIME REPORTS / INCIDENT REPORTS: (includes Warrants) <u>Misdemeanor or Infraction</u> - Adult Marijuana - H&S §11357(b)(c)(d)(e) or H&S §11360(b) (with procedure in H&S §11361.5) - Except those with outstanding stolen property, including firearms, or lost firearms	2 years		2 years	Yes: Before Disposition	Mag, Mfr, OD, Ppr	S/M/I	Yes: After QC	("Shall" Destroy); H&S §11361.5

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Police / AS / Records	POL-ASD-018	CRIME REPORTS / INCIDENT REPORTS: (includes Warrants) Misdemeanor <u>or Infraction</u> - Juvenile Marijuana - H&S §11357(E) - Except those with outstanding stolen property, including firearms, or lost firearms	Conviction or Arrest (if No Conviction) + 2 years		Conviction or Arrest (if No Conviction) + 2 years	Yes: Before Disposition	Mag, Mfr, OD, Ppr	S/M/I	Yes: After QC	(Courts and other Agencies "Shall" destroy); H&S§ 11361.5 et seq., GC§68152(e)(8)
Police / AS / Records	POL-ASD-019	CRIME REPORTS / INCIDENT REPORTS: (includes Warrants) Misdemeanor <u>or Infraction</u> - Marijuana §11357(e) - Juvenile on School Grounds during School Hours (with procedure in H&S §11361.5)	Offender is 18 Years Old		Offender is 18 Years Old	Yes	Mag, Ppr			(Courts and other Agencies "Shall" destroy); H&S§ 11361.5 et seq., 11357(e)
Police / AS / Records	POL-ASD-020	CRIME REPORTS / INCIDENT REPORTS: (includes Warrants) Missing Persons	Found / Recovered + 2 years		Found / Recovered + 2 years	Yes: Before Disposition	Mag, Mfr, OD, Ppr	S/M/I	Yes: After QC	Department Preference; GC §34090

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Police / AS / Records	POL-ASD-021	CRIME REPORTS / INCIDENT REPORTS: (includes Warrants) Sealed Juvenile and Ward Cases - Except those with outstanding stolen property, including firearms, or lost firearms	Sealing Date + 5 years (Or Court Order)		Sealing Date + 5 years (or Court Order)	Yes: Before Disposition	Mag, Mfr, OD, Ppr	S/M/I	Yes: After QC	Statute of Limitations runs up to age of majority + 8 years; sealed records for juveniles and wards of the Court must be destroyed 5 years after sealing date; CCP §§340.1, GC §34090; W&I §§389(a), 781(d)
Police / AS / Records	POL-ASD-039	CRIME REPORTS / INCIDENT REPORTS: (includes Warrants) Traffic Collision, Injury / Non- Injury	2 years		2 years	Yes	Mag, Mfr, OD, Ppr	S/M/I	Yes: After QC	GC §34090.
Police / AS / Records	POL-ASD-022	Gun Audits - Monthly	2 years		2 years		Mag, Ppr			GC §34090
Police / AS / Records	POL-ASD-023	Logs: Daily Logs, Watch Commander Logs, etc.	When No Longer Required		When No Longer Required		Mag, Ppr			Preliminary drafts; GC §34090 et seq.
Police / AS / Records	POL-ASD-024	NCIC Validation	2 years		2 years		Mag, Ppr			GC §34090
Police / AS / Records	POL-ASD-025	Order after Hearing (Restraining Order, Emergency Protective Orders (EPO), Temporary Restraining Order (TRO))	Expiration + 3 years		Expiration + 3 years		Mag			Per DOJ's direction; Court records - originals retained by the Court; GC §34090 et seq.
Police / AS / Records	POL-ASD-026	Permits: Pawn Shop, Second Hand	Change of Ownership / Close + 5 years		Change of Ownership / Close + 5 years		Mag, Ppr			Department Preference; GC §34090 et seq.

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Police / AS / Records	POL-ASD-027	Rap Sheets	When No Longer Required		When No Longer Required		Mag, Ppr			Preliminary drafts; GC §34090 et seq.
Police / AS / Records	POL-ASD-028	Registrants: Arson - Adults	5 years	P	P		Mag, Mfr, OD, Ppr	S/M/I	Yes: After 5 years	Department Preference; Pursuant to PC §457.1 et seq.; required to register for life; If released from CYA, records are destroyed after age 25 or sealing pursuant to W&I §781; GC §34090
Police / AS / Records	POL-ASD-029	Registrants: Arson - Juveniles released from California Youth Authority	Age 25 or Sealing Date + 5 years		Age 25 or Sealing Date + 5 years		Mag, Mfr, OD, Ppr	S/M/I	Yes: After QC	Pursuant to PC §457.1 et seq.; If released from CYA, records are destroyed after age 25 or sealing pursuant to W&I §781; GC §34090
Police / AS / Records	POL-ASD-030	Registrants: Narcotic	Last Arrest + 5 years		Last Arrest + 5 years		Mag, Ppr			Department Preference; Registration is required for 5 years; GC §34090, H&S §11590 et seq., H&S §11594(a)
Police / AS / Records	POL-ASD-031	Reports: Monthly Statistics / Uniform Crime Reports (UCR) - Summaries (BCS)	<u>When No Longer Required</u> 2 years		<u>When No Longer Required</u> 2 years		Mag, Ppr			<u>Filed on line with the State; Department preference; GC §34090</u>
Police / AS / Records	POL-ASD-032	Reports: Parking Ticket	2 years		2 years		Mag, Ppr			GC §34090 et seq.
Police / AS / Records	POL-ASD-033	Repossessed Vehicles	When No Longer Required		When No Longer Required		Mag, Ppr			Preliminary draft to notify PD that car has not been stolen; GC §34090
Police / AS / Records	POL-ASD-034	RMS Database	Indefinite		Indefinite	Yes	Mag			Data Fields / Records are interrelated; GC §34090

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Police / AS / Records	POL-ASD-040	Search Warrants	2 years		2 years		Mag, Ppr			Department Preference; GC §34090
Police / AS / Records	POL-ASD-035	Subpoenas - Personal Appearance	2 years		2 years		Mag, Ppr			Department Preference; GC §34090
Police / AS / Records	POL-ASD-036	Traffic Collision Reports	2 years		2 years		Mag, Ppr			Department Preference; GC §34090
Police / AS / Records	POL-ASD-037	Traffic Collision Reports - Serious Injury / Fatal	P		P		Mag, Ppr			Department Preference; GC §34090

RECORDS RETENTION SCHEDULE: POLICE

Office of Record	Retention No.	Records Description	Retention / Disposition							Comments / Reference
(OFR)			Active (in office)	Inactive (Records Manag. or Imaged)	Total Retention	Vital?	Media Options	Image: I=Import M=Mfr S=Scan	Destroy Paper after Imaged & QC'd?	
If the record is not listed here, refer to the Retention for City-Wide Standards										
Retentions begin when the act is completed, and imply a full file folder (e.g. last document + 2 years), since destruction is normally performed by file folder.										
Litigation, claims, complaints, audits, public records requests, and/or investigations suspend normal retention periods (retention resumes after settlement).										
FIELD OPERATIONS / PATROL										
Police / Field Ops / Patrol	POL-PAT-001	Officer Recordings: Audio Recordings that are not evidence ("hip recorders", etc.) - PUMA Database	<u>1 year</u> Indefinite		<u>1 year</u> Indefinite		Mag			Department Preference; Recordings that become evidence are stored with evidence - these are preliminary documents / transitory recordings not retained in the ordinary course of business; GC §34090.6(a)
Police / Field Ops / Patrol	POL-PAT-002	Officer Recordings: Body Cameras, Mobile Audio Video (MAV) Taser Cameras (Except for Training)	1 year Indefinite, Unless Submitted into Evidence		1 year Indefinite, Unless Submitted into Evidence		Mag			Department Preference; GC §34090.6 et seq.
Police / Field Ops / Patrol	POL-PAT-003	Police Reserves - Program Files, List and Assignments	Separation + 2 years		Separation + 2 years		Mag, Ppr			GC §34090

RECORDS RETENTION SCHEDULE: POLICE

Office of Record	Retention No.	Records Description	Retention / Disposition							Comments / Reference
(OFR)			Active (in office)	Inactive (Records Manag. or Imaged)	Total Retention	Vital?	Media Options	Image: I=Import M=Mfr S=Scan	Destroy Paper after Imaged & QC'd?	
<i>If the record is not listed here, refer to the Retention for City-Wide Standards</i>										
<i>Retentions begin when the act is completed, and imply a full file folder (e.g. last document + 2 years), since destruction is normally performed by file folder.</i>										
<i>Litigation, claims, complaints, audits, public records requests, and/or investigations suspend normal retention periods (retention resumes after settlement).</i>										
Police / Investigat. / Forensics & Evidence	POL-FOR-008	Gun and Narcotics Destruction Log (Documents related to)	P		P		Mag, Ppr			Department Preference to be consistent with Statewide guidelines; GC §34090
Police / Investigat. / Forensics & Evidence	POL-FOR-009	Latent Prints / Fingerprints (Those not in LiveScan)	Follows the Retention Period of the Crime Report		Follows the Retention of the Crime Report		Mag, Ppr			Department Preference; GC §34090
Police / Investigat. / Forensics & Evidence	POL-FOR-010	Mug Shots	Follows the Retention Period of the Arrest Record		Follows the Retention of the Arrest Record		Mag, Mfr, OD, Ppr	S / I	Yes: After 1 year	Department Preference; GC §34090
Police / Investigat. / Forensics & Evidence	POL-FOR-011	<u>Officer Recordings: Body-Worn Cameras – LOGS of Access or Deletion of Data</u>	P		P		<u>Mag</u>			<u>PC§ 832.18(b)(5)(E); GC §34090.6 et seq.</u>
Police / Investigat. / Forensics & Evidence	POL-FOR-012	<u>Officer Recordings: Body-Worn Cameras - that ARE evidence, Officer Involved Shootings / Detention or Arrest / Complaints</u>	<u>Follows Retention for Evidence, Minimum 2 years</u>		<u>Follows the Retention of the Evidence, Minimum 2 years</u>		<u>Mag</u>			<u>PC§ 832.18(b)(5)(B)&(C); GC §34090.6 et seq.</u>
Police / Investigat. / Forensics & Evidence	POL-FOR-013	<u>Officer Recordings: Body-Worn Cameras - that are NOT evidence</u>	<u>Minimum 60 days</u>		<u>Minimum 60 days</u>		<u>Mag</u>			<u>PC§ 832.18(b)(5)(A); GC §34090.6 et seq.</u>
Police / Investigat. / Forensics & Evidence	POL-FOR-014	<u>Officer Recordings: Mobile Audio Video (MAV) Recordings that are NOT evidence</u>	<u>1 year</u>		<u>1 year</u>		<u>Mag</u>			<u>Those segments of videos that are determined to be evidence are retained as evidence; GC §34090.6 et seq.</u>

RECORDS RETENTION SCHEDULE: POLICE

Office of Record	Retention No.	Records Description	Retention / Disposition							Comments / Reference
(OFR)			Active (in office)	Inactive (Records Manag. or Imaged)	Total Retention	Vital?	Media Options	Image: I=Import M=Mfr S=Scan	Destroy Paper after Imaged & QC'd?	
<i>If the record is not listed here, refer to the Retention for City-Wide Standards</i>										
<i>Retentions begin when the act is completed, and imply a full file folder (e.g. last document + 2 years), since destruction is normally performed by file folder.</i>										
<i>Litigation, claims, complaints, audits, public records requests, and/or investigations suspend normal retention periods (retention resumes after settlement).</i>										
PERSONNEL & TRAINING										
Police / Personnel & Training	POL-PER-001	Carry Concealed Weapon Permits (CCW) - Approved and HR218	Expiration + 2 years		Expiration + 2 years		Mag, Ppr			Department Preference; GC §34090
Police / Personnel & Training	POL-PER-002	Carry Concealed Weapon Permits (CCW) - Denied and HR218	When No Longer Required - Minimum 2 years		When No Longer Required - Minimum 2 years		Mag, Ppr			GC §34090
Police / Admin. / Chief	POL-PER-011	General Orders / Policies & Procedures / Operation Directives (Department Policies and Procedures)	P		P		Mag, Mfr, OD, Ppr	S / I	Yes: After superseded	Department Preference; GC § 34090 et seq.
Police / Personnel & Training	POL-PER-003	Personnel Background Packet - Unsuccessful (not hired)	3 years		3 years		Mag, Ppr			Department Preference; EEOC / FLSA / ADEA (Age) requires 1-3 years for selection records; State Law requires 2 - 3 years; 29 CFR 1672.3(b)(i), 29 CFR 1602.14 et seq (a)(5) and (6), 8 CCR- §11040.7(e) , GC §§12946, 34090
Police / Personnel & Training	POL-PER-004	Personnel Background Packets for Employees and Volunteers - Conclusions and Medical Records	Separation + 1 years	4 years	Separation + 5 years		Mag, Ppr			Department Preference to cover the possible length of employment of any employee or volunteer; P.O.S.T. requires appointments for 3 years; § 34090 et seq.

RECORDS RETENTION SCHEDULE: POLICE

Office of Record	Retention No.	Records Description	Retention / Disposition							Comments / Reference
(OFR)			Active (in office)	Inactive (Records Manag. or Imaged)	Total Retention	Vital?	Media Options	Image: I=Import M=Mfr S=Scan	Destroy Paper after Imaged & QC'd?	
<i>If the record is not listed here, refer to the Retention for City-Wide Standards</i>										
<i>Retentions begin when the act is completed, and imply a full file folder (e.g. last document + 2 years), since destruction is normally performed by file folder.</i>										
<i>Litigation, claims, complaints, audits, public records requests, and/or investigations suspend normal retention periods (retention resumes after settlement).</i>										
Police / Personnel & Training	POL-PER-005	Personnel Background Packets for Employees and Volunteers - Preliminary Draft Polygraphs	3 years		3 years		Mag, Ppr			Department Preference; EEOC / FLSA / ADEA (Age) requires 1-3 years for selection records; State Law requires 2 - 3 years; 29 CFR 1672.3(b)(i), 29 CFR 1602.14 et seq (a)(5) and (6) , 8 CCR §11040.7(e) , GC §§12946, 34090
Police / Personnel & Training	POL-PER-006	Personnel Training File - Tests, Bulletins, Certificates, Range Files, Program Information, Needs Assessment, Field Training	Separation + 1 years	4 years	Separation + 5 years		Mag, Mfr, OD, Ppr	S	Yes: When Inactive	Department Preference; 8 CCR §3203 et seq., 8 CCR 14300.33(a); 29 CFR 1627.3(b)(2), 29 CFR 1904.33, 29 CFR 1904.44; LC §6429(c); GC §§12946, 34090, 53235.2(b)
Police / Personnel & Training	POL-PER-007	Training - Department Training Records - COURSE RECORDS (Attendance Rosters, Outlines and Materials; includes Use of Force training, safety training, etc.)	2 years	3 years	5 years		Mag, Ppr			Department Preference; Rosters are sent to POST; Statewide guidelines propose 7 years; OSHA requires safety training 5 years; EEOC/FLSA/ADEA (Age) requires 3 years for promotion, demotion, transfer, selection, or discharge; State Law requires 2 -3 years; 29 CFR 1627.3(b)(ii), 8 CCR §3204(d)(1) et seq., GC §§12946, 34090

CITY OF ONTARIO

Agenda Report
November 15, 2016

SECTION: PUBLIC HEARINGS

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

RECOMMENDATION: That the City Council conduct a public hearing to consider adoption of a resolution establishing 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.

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: The City Council at its October 18, 2016 meeting, adopted a resolution to set a public hearing for Tuesday, November 15, 2016 to consider establishing an underground utility district along Holt Boulevard between Benson Avenue and San Antonio Avenue. All adjacent property owners and affected utility companies have been properly notified of the public hearing.

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. 11/15/2016

Approved: _____

Continued to: _____

Denied: _____

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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 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
City In-Lieu Fee Balance =	- \$1,900,000
<u>SCE Credit for Overhead =</u>	<u>- \$ 300,000</u>
Additional City Funding Needed (FY 18/19) =	\$ 200,000

This district is consistent with the prioritized list of underground districts adopted by the City Council on January 6, 2009. Holt Boulevard carries a heavy volume of pedestrian and vehicular traffic. The overhead utility lines are unsightly, inconvenient, and detract from the aesthetics of the area. The undergrounding project will remove and replace overhead facilities with underground facilities, including the undergrounding of each customer's service laterals and conversion of service panels occasioned by the undergrounding project.

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, TO ESTABLISH UNDERGROUND UTILITY DISTRICT NO. 19 ON HOLT BOULEVARD BETWEEN BENSON AVENUE TO SAN ANTONIO AVENUE.

WHEREAS, On October 18, 2016, Resolution No. 2016-104 was adopted, which called for a public hearing 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 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 supplying electric, communication or similar service, excluding electric transmission lines, on Holt Boulevard between Benson Avenue and San Antonio Avenue (Underground Utility District No. 19); and

WHEREAS, notice of such hearing has been given to all affected property owners as shown on the last equalized assessment roll and utilities concerned in the manner and for time required by law; and

WHEREAS, such hearing has been duly and regularly held and all persons interested have been given an opportunity to be heard.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Ontario, California, hereby finds and determines that the 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 supplying electric, communication or similar service in the area described as follows:

ALL LAND SITUATED ALONG HOLT BOULEVARD BETWEEN BENSON AVENUE AND SAN ANTONIO AVENUE AS SHOWN ON THE ATTACHED BOUNDARY EXHIBIT.

BE IT RESOLVED that the time for the completion for such underground shall be on or before the 17th day of December, 2021.

RESOLVED FURTHER that the City Council hereby finds the Underground Utility District herein created is in the general public interest for the following reason. The said street and right-of-way is used by the general public and carries heavy volume of vehicular and pedestrian traffic. The overhead utility lines are unsightly, inconvenient, and detract from the aesthetics of the area.

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

PASSED, APPROVED, AND ADOPTED this 15th day of November 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 November 15, 2016 by the following roll call vote, to wit:

AYES: COUNCIL MEMBERS:

NOES: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

SHEILA MAUTZ, CITY CLERK

(SEAL)

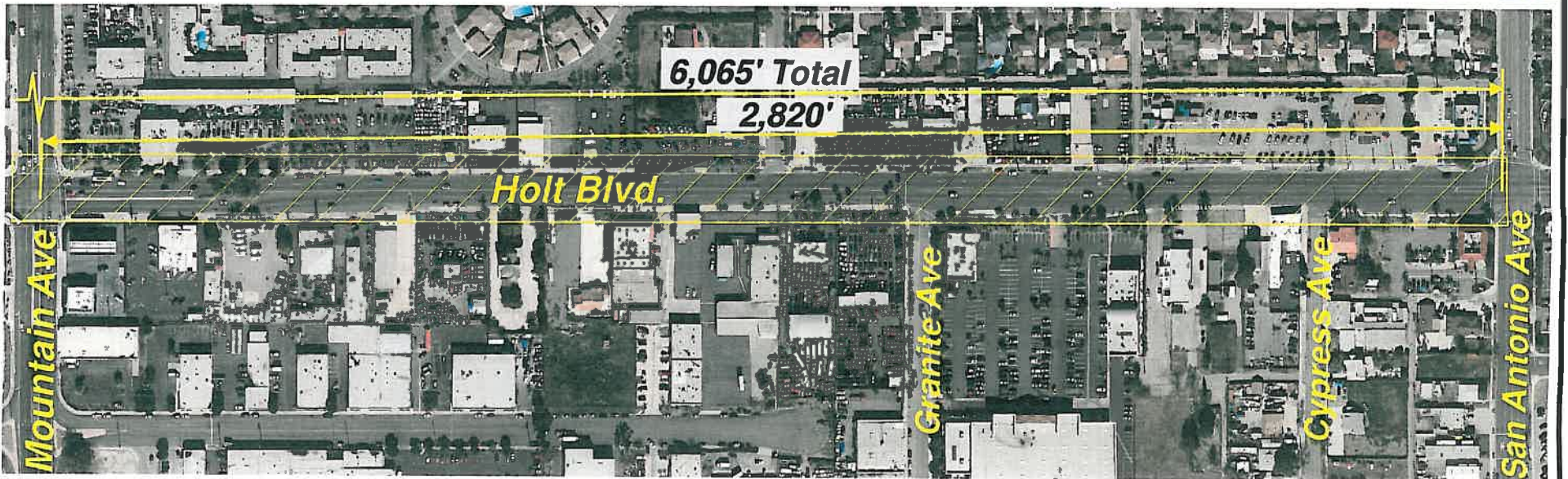
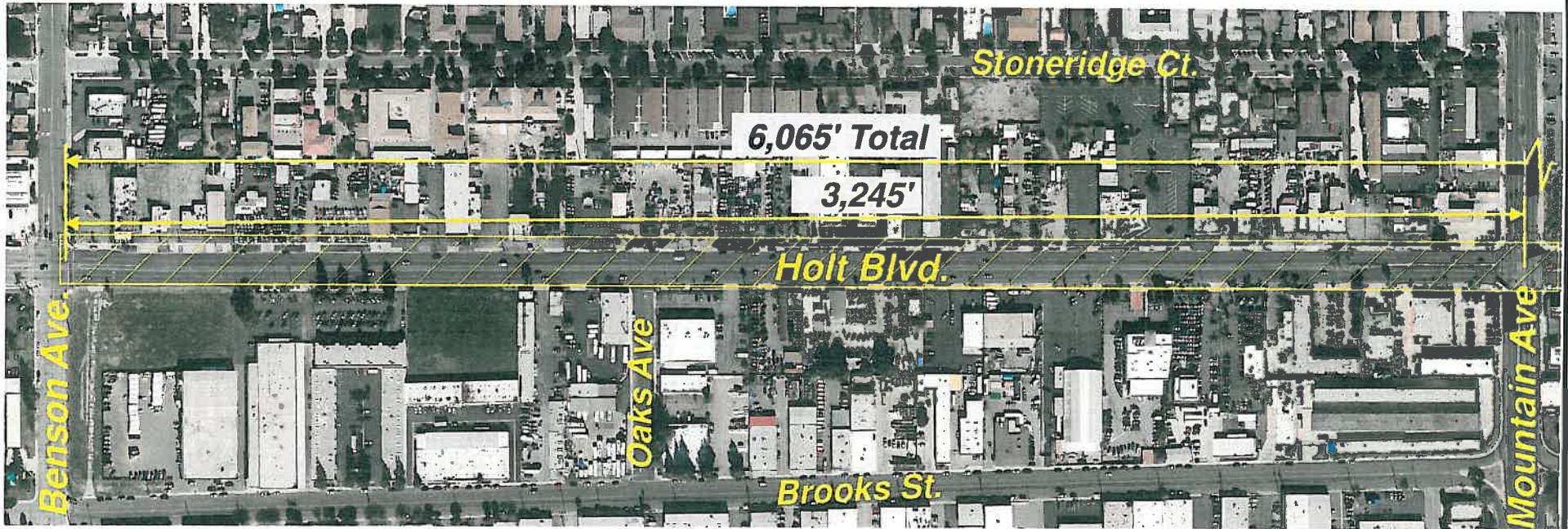
The foregoing is the original of Resolution No. 2016- duly passed and adopted by the Ontario City Council at their regular meeting held November 15, 2016.

SHEILA MAUTZ, CITY CLERK

(SEAL)

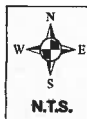
Underground Utility District No. 19
Holt Boulevard between Benson Avenue and San Antonio Avenue

PAGE 1-1



Legend:

 Project Area



CITY OF ONTARIO

Agenda Report
November 15, 2016

SECTION: PUBLIC HEARINGS

SUBJECT: A PUBLIC HEARING TO CONSIDER A DEVELOPMENT CODE AMENDMENT, FILE NO. PDCA16-005, A REQUEST TO ADD REFERENCE I, PUBLIC ART PROGRAM, TO THE CITY OF ONTARIO DEVELOPMENT CODE TO PROMOTE PUBLIC ART AND ART IN PUBLIC PLACES

RECOMMENDATION: That the City Council introduce and waive further reading of an ordinance approving File No. PDCA16-005, a Development Code Amendment proposing the addition of Reference I, Public Art Program, to the City of Ontario Development Code.

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

FISCAL IMPACT: None.

BACKGROUND: As the City continues to mature, the finer arts have taken on a greater significance with the introduction of art into several City projects, most notably Ontario Town Square, and a resurgence of our local museums (Ontario Museum of Art & History, Chaffey Community Museum of Art, and Police Museum). As a result, the City has been approached by individuals about incorporating artworks into projects and donating artworks to the City. On November 17, 2015, the City adopted a policy by resolution establishing some criteria for gifts of public art. Since that time, staff has continued to refine the criteria to address provisions for placement and/or donations of artwork to the City for placement on public property to be incorporated into the Development Code. Provisions include, but are not limited to, the following:

(a) The material to be used for the artwork to minimize vandalism, theft, and weather, and require a low level of on-going maintenance;

STAFF MEMBER PRESENTING: Scott Murphy, Planning Director

Prepared by: Scott Murphy

Department: Planning

City Manager
Approval: 

Submitted to Council/O.H.A. 11/15/2016

Approved: _____

Continued to: _____

Denied: _____

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- (b) The proposed location of the artwork is appropriate to the artwork's content, scale, and material. Factors to be considered in selecting an appropriate site include type of artwork, relationship to architectural and natural features, visibility and public access, traffic patterns, future development plans for the area (if known), and public use patterns of the site and surrounding area;
- (c) The cost of artwork installation and on-going maintenance needs and estimated costs associated with the maintenance over the life of the artwork;
- (d) Any restrictions from the donor; and
- (e) Safety.

The complete list of criteria is contained in the attached "Reference I – Public Art Program."

On October 25, 2016, the Planning Commission voted unanimously to recommend approval of the Development Code Amendment to the City Council.

COMPLIANCE WITH THE ONTARIO PLAN: The proposed project is consistent with the principles, goals and policies contained within the Vision, Governance, and Policy Plan (General Plan) components of The Ontario Plan (TOP). More specifically, TOP goals and policies furthered by the proposed project are noted in the Planning Commission staff report (attached).

HOUSING ELEMENT COMPLIANCE: The project is consistent with the Housing Element of the Policy Plan (General Plan) component of The Ontario Plan, as the project does not affect the properties in the Available Land Inventory contained in Table A-3 (Available Land by Planning Area) of the Housing Element Technical Report Appendix.

AIRPORT LAND USE COMPATIBILITY PLAN COMPLIANCE: The project site is 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: The project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15061(b)(3) in that the activity is covered by the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA.

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING FILE NO. PDCA16-005, A REQUEST TO ADD REFERENCE I, PUBLIC ART PROGRAM, TO THE CITY OF ONTARIO DEVELOPMENT CODE TO PROMOTE PUBLIC ART AND ART IN PUBLIC PLACES, AND MAKING FINDINGS IN SUPPORT THEREOF.

WHEREAS, the City of Ontario ("Applicant") has filed an Application for the approval of a Development Code Amendment, File No. PDCA16-005, as described in the title of this Ordinance (hereinafter referred to as "Application" or "Project"); and

WHEREAS, the City of Ontario desires to introduce art and artworks into the community; and

WHEREAS, public art enriches the lives of the citizens by exposure to art in various forms; and

WHEREAS, the City encourages public dialogue and interaction through a public art program; and

WHEREAS, the City embraces a broad range of artworks, which are reflective of the overall diversity of current works in the field of visual arts; and

WHEREAS, the project is consistent with the Housing Element of the Policy Plan (General Plan) component of The Ontario Plan, as the application is not one of the properties in the Available Land Inventory contained in Table A-3 (Available Land by Planning Area) of the Housing Element Technical Report Appendix; and

WHEREAS, the proposed project is located within the Airport Influence Area of Ontario International Airport, and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan (ALUCP); and

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

WHEREAS, the Project is exempt from CEQA pursuant to a categorical exemption (listed in CEQA Guidelines Article 19, commencing with Section 15300) and the application of that categorical exemption is not barred by one of the exceptions set forth in CEQA Guidelines Section 15300.2; and

WHEREAS, on October 25, 2016, the Planning Commission of the City of Ontario conducted a hearing to consider the Project. After concluding said hearing, the Planning Commission adopted its Resolution No. PC16-066, unanimously recommending approval of the application to the City Council; and

WHEREAS, on November 15, 2016, the City Council of the City of Ontario conducted a public hearing to consider the Project and concluded said hearing on that date; and

WHEREAS, all legal prerequisites to the adoption of this Ordinance 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 administrative record have been completed in compliance with CEQA, the State CEQA Guidelines, and the City of Ontario Local CEQA Guidelines; and

b. The Project is categorically exempt from environmental review pursuant to Section 15063(b)3 (General Rule) of the CEQA Guidelines, where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment; and

c. The application of the categorical exemption is not barred by one of the exceptions set forth in CEQA Guidelines Section 15300.2; and

d. 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.

b. The proposed Development Code Amendment would not be detrimental to the public interest, health, safety, convenience, or general welfare of the City, as the proposed changes serve to clarify and adjust existing provisions, and would not result is changes to the Development Code that would alter its purpose, intent, or application.

SECTION 3. Based upon the findings and conclusions set forth in Sections 1 and 2 above, the City Council hereby APPROVES the herein described Application as shown on Exhibit "A" attached.

SECTION 4. 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 5. 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 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 November 15, 2016 and adopted at the regular meeting held _____, 2016 by the following roll call vote, to wit:

AYES: COUNCIL MEMBERS:

NOES: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

SHEILA MAUTZ, CITY CLERK

(SEAL)

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

SHEILA MAUTZ, CITY CLERK

(SEAL)

Exhibit "A"
Reference I – Public Art Policy
(see next page)

Reference I—Public Art Program

Sections:

- [I.01.001:](#) Purpose
- [I.01.002:](#) Public Artworks: Definitions
- [I.01.003:](#) Public Art Program Advisory Committee
- [I.01.004:](#) Policy for the Gift or Long Term Loan of Public Art

I.01.001: Purpose

This manual may be known and cited as the "Ontario Public Art Program." It is the goal of the City's Public Art Program to promote public art and art in public places, as a cultural resource for the Community, and act as a mechanism to enhance the City's commercial vitality and economic stability. Furthermore, it is intended that the Ontario Public Art Program will serve to enrich the community aesthetic and built urban environment, by making available to the public, a diverse collection of artwork throughout the City.

The aforementioned goals will be realized through implementation of the following:

- To bring contemporary art into the environment and life of Ontario.
- To enrich the lives of the citizens of the City by the exposure to art in various forms.
- To encourage both emerging and established artists living in Ontario by supporting and purchasing their work.
- To acquire a distinguished collection of art representing varying genre, style, scale, medium, form and intent, and reflective of trends and disciplines in art on a local, regional, national, and international level.
- To integrate artists into the City's design process.
- To encourage public dialogue and interaction through a public art program;
- Embrace a broad range of artworks, which are reflective of the overall diversity of current works in the field of visual arts; and

I.01.002: Public Artworks: Definitions

As used in this Manual, the words, terms, and phrases, listed below in correct alphabetical order, shall have the following meanings:

Artwork. Original pieces of art, including limited editions, not limited by medium used. It may include paintings, sculpture, murals, mosaic and fountains. These categories may be realized through such media as steel, bronze, stained glass, concrete, wood, ceramic tile and stone, as well as other suitable materials.

Public Place. Any area on public property, either interior or exterior, which must be accessible and visible to the general public.

Project Applicant. The property owner, developer or other responsible party proposing a project requiring public art.

Project Site. The location of the improvements being developed.

Public Art Program Advisory Committee. A three-member board, appointed by City Council, which is responsible for ensuring that the criteria established by this Public Art Program have been met. Public Art Program Advisory Committee members may be selected from current representatives of the Chaffey Community Museum of Art, the Ontario Museum of History and Art, Ontario Heritage and at-large residents of the City.

I.01.003: Public Art Program Advisory Committee

The Public Art Program Advisory Committee shall insure that all criteria established by this Public Art Program have been complied with. The Advisory Committee shall review all requests for the installation of public art, examining proposals for public safety, weather resistance, balance with the program, public response, proper lighting, public accessibility, installation methods, proportion, composition, the artist's previous experience, art training, and exhibition record. Advisory Committee support shall be provided by the Planning Director.

A. Construction and Installation of Public Artworks (Permanent). The following procedure is to be followed in the construction of on-site permanent public artworks:

1. The composition of the proposed artwork shall be of a permanent type of material in order to be a durable against vandalism, theft, and weather, and require a low level of on-going maintenance.
2. The artwork shall be related in terms of scale, material, form and content to immediate and adjacent buildings and landscaping so that it complements the site and surrounding environment.
3. The artwork shall be constructed by persons experienced in the production and installation of such artwork.
4. The artwork shall be permanently affixed to the property unless it is designated a temporary exhibit in the scope of the project when commissioned.
5. Installation of the artwork shall be planned and implemented to enhance the piece and allow for unobstructed viewing from as many angles as possible.
6. The City shall obtain from the artist, complete maintenance instructions, including methods to maintain the piece and the frequency of maintenance.
7. Each piece of artwork shall be identified by a plaque at the site of an appropriate size and scale to the piece. The plaque shall be made of cast metal and then placed in a location near the art piece listing the title of the piece, the artist, and the date as well as the city and the art in public places program.

B. Construction and Installation of Public Artworks (Temporary). The following procedure is to be followed in the construction of on-site temporary public artworks:

1. The composition of the proposed artwork shall be of a type of material in order to be a durable against vandalism, theft, and weather, and require a low level of maintenance.
2. The artwork shall be related in terms of scale, material, form and content to immediate and adjacent buildings and landscaping so that it complements the site and surrounding environment.

3. The artwork shall be constructed by persons experienced in the production and installation of such artwork.
4. The method of attachment or securing the artwork shall be identified,
5. Installation of the artwork shall be planned and implemented to enhance the piece and allow for unobstructed viewing from as many angles as possible.
6. The City shall obtain from the artist, complete maintenance instructions, including methods to maintain the piece and the frequency of maintenance.
7. Each piece of artwork shall be identified by a plaque at the site of an appropriate size and scale to the piece. The plaque shall be made of cast metal and then placed in a location near the art piece listing the title of the piece, the artist, and the date as well as the city and the art in public places program.
8. Any security measures needed to secure the artwork, the estimated cost of the security, and a source of funding for the security shall be identified.

I.01.004: Policy for the Gift or Long Term Loan of Public Art

A. Purpose. Unsolicited gifts or long term loans to the City can be an important part of the City's art collection. The purpose of this Section is to ensure that proposed gifts of public art undergo a review process to ensure that acceptance of such gifts takes place in a fair and uniform manner. Furthermore, it is the intent of this Section to ensure that potential gifts of public artworks are evaluated as carefully as artworks that are commissioned, and that such artworks undergo a careful review process that evaluates a gift based upon acceptance criteria established according to the purposes, guidelines, goals, and selection process that guides artworks that are commissioned.

B. Applicability. This Section applies to all unsolicited offers of donation or long term loans of artworks to the City of Ontario,

C. Procedures for Gifts or Long Term Loans. For each proposed gift or long term loan of public art, a written proposal or letter of intent shall be submitted to the City Manager. The City Manager shall refer the proposal to the Public Art Advisory Committee for review and recommendation to the City Council, whose decision is final. The proposal shall consist of the following items:

1. Completed application form;
2. Photographs, drawings, models or designs of proposed artwork;
3. Description and samples (if available) of materials and colors;
4. Appraisal by a professional art appraiser (for long term loans);
5. A site plan, to include photographs of site and neighborhood, drawings of the proposed site with the project to scale;
6. Proposed installation schedule;

7. Maintenance manual, including the long-term intent of artist for the preservation and maintenance of artwork;
8. Maintenance schedule prepared by professional art curator;
9. Estimated budget for installation and maintenance;
10. Resume and examples of artist's previous work;
11. Duration of the loan (if applicable);
12. Proof of insurance sufficient to meet the requirements of the City's Risk Manager, if necessary; and
13. Building permits, if necessary.

D. Criteria for the Evaluation of Proposed Gifts or Long Term Loans of Public Art. The following criteria shall be used in evaluating proposed gifts of long term loans of public art for review and acceptance by the City:

1. Artworks may be existing or proposed works of art;
2. Artworks must be one-of-a-kind or part of an original series. Reproductions of originals are not considered eligible for acceptance;
3. Gifts must maintain high artistic standards and are appropriate in relationship or historical relevance to the City;
4. The proposed location (if specified) is available and is appropriate to the artwork's content, scale, and material. Factors to be considered in selecting an appropriate site include type of artwork, relationship to architectural and natural features, visibility and public access, traffic patterns, future development plans for the area (if known), and public use patterns of the site and surrounding area;
5. Restrictions from the donor, if any;
6. Community groups that generate artwork proposals must demonstrate how the surrounding community has been involved and consulted in the process;
7. Costs of installation and maintenance and repair over the expected life of the artwork shall be defined;
8. Artistic quality (vision, originality and craftsmanship);
9. Context (architectural, historical, geographical and socio-cultural context of the site);
10. Quality and permanency of materials (if ephemeral material: is appropriate documentation included?);
11. Safety;
12. Diversity of artists (gender, race, culture) representation in the existing collection of publicly-accessible artworks; and

13. Diversity of artworks (media, scale, style, intention) in the existing collection of publicly accessible artworks.

E. Long Term Loans of Artwork. Upon recommendation by the Public Art Program Advisory Committee and acceptance by the City Council, long term loans of artwork may be displayed upon execution of a contract between the City and the artist clearly identifying the terms and conditions of the loan and the rights and responsibilities of all parties.

F. Acceptance of Gifts of Public Art. Upon recommendation by the Public Art Program Advisory Committee and acceptance by the City Council, gifts of artworks will be deemed part of the permanent collection of the City once the donor has supplied the City with the following:

1. Written certification of the installation of the artwork, if completed by artist;
2. An executed contract between the City and the artist transferring title of the artwork and clearly defining the rights and responsibilities of all parties;
3. Written instructions for the care, maintenance, preservation, and handling of the artwork, prepared with the assistance of a professional art conservator to be provided by the artist;
4. A sworn statement of no liens, claims, or other encumbrances associated with the artwork;
5. A written assignment of any and all warranties for materials used, or labor performed by subcontractors or other persons; and
6. A written assignment conveying all rights, including copyrights and waiver of all rights under the Visual Artist's Rights Act of 1990, and its amendments (Section 106A of the United States Copyright Act; Pub. L. No. 101-650).

G. Title and Ownership. Permanent gifts of artwork to the City shall become the property of the City once an *Agreement for Acceptance of Donated Artwork* has been fully executed and the Donor has delivered the Bill of Sale/Transfer of Title. At such time, all rights of title and ownership shall be conveyed to the City, and all future decisions regarding the use and continued ownership of the artwork shall be under the sole discretion of the City. As owner of the artwork, the City may exercise any and all legal rights of ownership, including, but not limited to, sale, relocation, or removal of the artwork.

H. Maintenance. When artwork gifts are situated at or on City owned or occupied properties or facilities, the City shall assume the cost of and responsibility for its continued maintenance unless otherwise provided by agreement.

I. Removal, Relocation, or Deaccession of an Artwork. Artworks gifted to the City may be relocated, removed, or deaccessioned from the City's public art collection if the artwork is determined by the City in its sole and absolute authority a hazard or liability, if the approved terms of acceptance are not fulfilled, or for any other reason as determined by the City Council, upon recommendation by the Public Art Program Advisory Committee.

J. Exemption. Gifts of state presented to the City by foreign governments or by other political jurisdictions of the United States that may be accepted by the City Council or City Manager on behalf of the City. Permanent placement of any such artworks will be determined jointly by the City Manager and City Council. If not provided by the donor, maintenance of the art will be the responsibility of the host City department.

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CITY OF ONTARIO

Agenda Report
November 15, 2016

**SECTION:
PUBLIC HEARINGS**

SUBJECT: A PUBLIC HEARING TO CONSIDER FILE NOS. PHP16-013 AND PHP16-015, HISTORIC PROPERTY PRESERVATION AGREEMENTS FOR TWO DESIGNATED HISTORIC PROPERTIES

RECOMMENDATION: That the City Council adopt resolutions approving and authorizing the City Manager to enter into Historic Property Preservation Agreements (Mills Act contracts) for the following properties:

- (A) File No. PHP16-013, 224 East Princeton Street (APN: 1047-541-12); submitted by Walter & Wendi Hafner
- (B) File No. PHP16-015, 403 East Rosewood Court (APN: 1048-063-17); submitted by Kelly Strayer & Robert Miller

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

Focus Resources in Ontario's Commercial and Residential Neighborhoods

Encourage, Provide or Support Enhanced Recreational, Educational, Cultural and Healthy City Programs, Policies and Activities

FISCAL IMPACT: The projected net impact of the two proposed contracts to the City is \$611 in the first year and approximately \$6,110 over the first ten years of the contracts from a reduction in property tax revenue. In exchange for the property tax reduction, private property investments over the initial ten years of the contract are estimated at \$77,650.


BACKGROUND: The Planning Department received two Mills Act contract applications this year that are now being considered this year. These applications represent a reinvestment of \$77,650 in private property owner funds into the City's neighborhoods within a ten-year period. The contracts include improvements to exterior finishes (windows, roof repairs, repainting exterior), landscaping, pavement

STAFF MEMBER PRESENTING: Scott Murphy, Planning Director

Prepared by: Elly Antuna

Department: Planning

City Manager

Approval: 

Submitted to Council/O.H.A. 11/15/2016

Approved: _____

Continued to: _____

Denied: _____

15

repairs and interior finishes (refinishing hardwood floors, repairing termite damage and period appropriate replacement of interior fixtures and hardware).

A Mills Act contract is a contract between the City and a property owner whereby the property owner agrees to certain improvements that preserve the historic integrity and character of the building and to keep the property in good repair. In exchange for the investments, State law requires the county tax assessor to reassess the property's value based on an alternative formula. The new assessed value may result in a significant reduction in the owner's property taxes. The Mills Act does not require investment in the property to be equal to the amount tax savings. The purpose is to provide a financial incentive to the owners of historic properties.

Upon City Council approval, the City Clerk informs the San Bernardino County Assessor that the property has entered into a Mills Act contract. The contract is a perpetual 10-year contract that automatically renews annually. If a property that has a recorded Mills Act contract is sold, the County of San Bernardino continues to assess the property using the alternate formula and the new owner is required to fulfill the contractual preservation agreement. A contract can be non-renewed by either party upon written notice. If a contract is cancelled as a result of non-compliance with the conditions of the contract, a cancellation fee of 12.5 percent of the market value (as of the time of cancellation) is assessed.

The City has 64 approved Mills Act contracts and two proposed, for a total of 66 Mills Act contracts. Of the 66 properties, six are commercial, one is multi-family residential, and 59 are single-family residential. Property tax impacts are summarized below.

	<u>Existing</u>	<u>Proposed</u>	<u>Total</u>
Number of Contracts	64	2	66
Estimated Average Annual Tax Savings to Owners	\$1,708	\$1,818	\$1,711
Estimated Annual Cost to City (first year)	\$18,364	\$611	\$18,975
Estimated Cost to City (over ten years)	\$183,644	\$6,110	\$189,754

As indicated above, the estimated annual cost of the 66 Mills Act contracts would be \$189,754. In exchange for this modest decrease in property tax revenues, approximately \$2,540,090 will be reinvested into historic buildings over a ten-year period – a ratio of \$13.39 in private funds spent for every dollar the City foregoes in property tax revenue.

Each Mills Act contract is in compliance with the provision of Article 12 (commencing with Section 50280), Chapter 1, Part 1, Division 1, Title 5 of the Government Code of the State of California which establishes the Mills Act program. All properties are contributors to locally designated historic districts and are single-family residences.

On October 25, 2016, the Planning Commission voted unanimously (6-0) to recommend City Council approval of the proposed Mills Act contracts.

ENVIRONMENTAL REVIEW: The applications were reviewed pursuant to the California Environmental Quality Act (Public Resources Code Section 21000 et seq.) ("CEQA"). Per Section 21065 of the CEQA Guidelines, the Historic Preservation Agreement (Mills Act contract) is not considered a project. Therefore, no further environmental review is required.

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING FILE NO. PHP16-013, AND AUTHORIZING THE CITY OF ONTARIO TO ENTER INTO A HISTORIC PROPERTY PRESERVATION AGREEMENT WITH WALTER AND WENDI HAFNER FOR THE PROPERTY LOCATED AT 224 EAST PRINCETON STREET (APN: 1047-541-12).

WHEREAS, California Government Code Section 50280, et seq., authorizes cities to enter into contracts with the owners of a qualified historical property to provide for the use, maintenance and restoration of such historical property so as to retain its characteristics as a property of historical significance: and

WHEREAS, Walter and Wendi Hafner possess fee title in and to that certain real property, together with associated structures and improvements thereon, generally located at the street address commonly known as 224 East Princeton Street, Ontario, California (hereinafter referred to as the "Property"); and

WHEREAS, on July 18, 2000, the City Council of the City of Ontario designated the Property as a Contributor to the College Park Historic District pursuant to the terms and provisions of Chapter 4, of the Ontario Development Code; and

WHEREAS, on October 13, 2016, the Historic Preservation Subcommittee conducted a hearing and issued Decision No. HPSC16-013, recommending the Historic Preservation Commission recommend the City Council approve the Application; and

WHEREAS, on October 25, 2016, the Historic Preservation Commission conducted a hearing and issued Resolution No. PC16-067, recommending the City Council approve the Application; and

WHEREAS, the City and Walter and Wendi Hafner, for their mutual benefit, now desire to enter into a Historic Property Preservation Agreement, a copy of which is attached hereto as Exhibit "A" and incorporated herein by reference (hereinafter referred to as the "Preservation Agreement").

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

SECTION 1. That the Preservation Agreement, which is subject to the provisions of the City's Development Code (Sec. 4.02.065), is ratified and approved; and

SECTION 2. That the City Clerk of the City of Ontario, California, shall cause the Historic Preservation Agreement to be recorded in the office of the County Recorder of San Bernardino County.

SECTION 3. That the City Clerk of the City of Ontario, California, shall notify the San Bernardino County Assessor in writing that the property has entered into a Preservation Agreement within 30 days of the recordation of the contract.

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

PASSED, APPROVED, AND ADOPTED this 15th day of November 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 November 15, 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 November 15, 2016.

SHEILA MAUTZ, CITY CLERK

(SEAL)

Exhibit A

RECORDING REQUESTED BY
And When
RECORDED MAIL TO:

City Clerk, City of Ontario
303 East "B" Street
Ontario, CA 91764

Exempt Recording Fees Pursuant to Government Code
Section 6103 & 27383

HISTORIC PROPERTY PRESERVATION AGREEMENT

THIS AGREEMENT is made and entered into this 15th day of November 2016, by and between the City of Ontario, a municipal corporation (hereinafter referred to as the "City") and Walter Hafner and Wendi Hafner (hereinafter referred to as the "Owner").

WITNESSETH:

A. Recitals.

(I) California Government Code Section 50280, et seq., authorizes cities to enter into contracts with the owners of qualified historical property to provide for the use, maintenance and restoration of such historical property so as to retain its characteristics as property of historical significance;

(ii) Owner possesses fee title in and to that certain real property, together with associated structures and improvements thereon, commonly known as the Geza J. Kiss House, generally located at the street address 224 East Princeton Street, Ontario, CA 91764 (hereinafter such property shall be referred to as the "Historic Property"). A legal description of the Historic Property is attached hereto, marked as Exhibit "A" and is incorporated herein by this reference;

(iii) On July 18, 2000, the City Council of the City of Ontario designated the Historic Property as a contributor within the College Park Historic District pursuant to the terms and provisions of Title 9, Chapter 1 Chapter 4 of the Ontario Municipal Code; and,

(iv) The City and Owner, for their mutual benefit, now desire to enter into this agreement both to protect and preserve the characteristics of historical significance of the Historic Property and to qualify the Historic Property for an assessment of valuation pursuant to the Provisions of Chapter 3, of Part 2, of Division 1 of the California Revenue and Taxation Code.

B. Agreement

NOW, THEREFORE, City and Owner, in consideration of the mutual covenants and conditions set forth herein, do hereby agree as follows:

1. Effective Date and Term of Agreement. This Agreement shall be effective and commence on November 15, 2016, and shall remain in effect for a term of ten (10) years thereafter. Each year upon the anniversary of the effective date, such initial term will automatically be extended as provided in paragraph 2, below.

2. Renewal. Each year on the anniversary of the effective date of this Agreement (hereinafter referred to as the "renewal date"), a year shall automatically be added to the initial term of this Agreement unless notice of non-renewal is mailed as provided herein. If either Owner or City desires in any year not to renew the Agreement, Owner or City shall serve written notice of non-renewal of the Agreement on the other party in advance of the annual renewal date of the Agreement. Unless such notice is served by Owner to City at least ninety (90) days prior to the annual renewal date, or served by City to Owner at least sixty (60) days prior to the annual renewal date, one (1) year shall automatically be added to the term of the Agreement provided herein. Owner may make a written protest of the notice. Upon receipts by the Owner of a notice from the City of non-renewal, the City may, at any time prior to the annual renewal date of the Agreement, withdraw its notice to Owner of non-renewal. If either City or Owner serves notice to the other of

non-renewal in any year, the Agreement shall remain in effect for the balance of the term then remaining, either from its original execution or from the last renewal of the Agreement, whichever may apply.

3. Fees. Prior to recordation the applicant shall pay the applicable fee in effect at the time recordation is requested.

4. Standards for Historical Property. During the term of this Agreement, the Historic Property shall be subject to the following conditions, requirements and restrictions:

A. Owner shall preserve and maintain the characteristics of historical significance of the Historic Property. Attached hereto, marked as Exhibits "B", and incorporated herein by this reference, is a list of those minimum standards and conditions for maintenance, use and preservation of the Historic Property, which shall apply to such property throughout the term of this Agreement.

B. Owner shall, where necessary, restore and rehabilitate the property according to the rules and regulations of the Office of Historic Preservation of the Department of Parks and Recreation, the United States Secretary of the Interior's Rehabilitation Standards and the State Historical Building Code and in accordance with the attached schedule of potential home improvements, drafted by the applicant and approved by the City Council, attached hereto as Exhibit "C".

C. Owner shall allow reasonable periodic examinations, by prior appointment, of the interior and exterior of the Historic Property by representatives of the County Assessor, State Department of Parks and Recreation, State Board of Equalization, and the City, as may be necessary to determine Owner's compliance with the terms and provisions of this Agreement.

5. Provision of Information of Corporation. Owner hereby agrees to furnish City with any and all information requested by the City, which may be necessary or advisable to determine compliance with the terms and provision of this Agreement.

6. Cancellation. City, following a duly noticed public hearing as set forth in California Government Code Sections 50280, et seq., may cancel this Agreement if it determines that Owner breached any of the conditions of this Agreement or has allowed the property to deteriorate to the point that it no longer meets the standards for a qualified historic property. City may also cancel this Agreement if it determines that the Owner has failed to restore or rehabilitate the property in the manner specified in subparagraph 3(B) of this Agreement. In the event of cancellation, Owner may be subject to payment of those cancellation fees set forth in California Government Code Sections 50280, et seq.

7. Enforcement of Agreement. In lieu of and/or in addition to any provision to cancel the Agreement as referenced herein, City may specifically enforce, or enjoin the breach of, the terms of this Agreement. In the event of a default, under the provisions of this Agreement by Owner, City shall give written notice to Owner by registered or certified mail addressed to the address stated in this Agreement, and if such a violation is not corrected to the reasonable satisfaction of the City within thirty (30) days thereafter, or if not corrected within such reasonable time as may be required to cure the breach or default if said breach or default cannot be cured within thirty (30) days (provided that acts to cure the breach of default may be commenced within thirty (30) days and must be pursued to completion by Owner), then City may, without further notice, declare a default under the terms of this Agreement and may bring any action necessary to specifically enforce the obligations of Owner growing out of the terms of this Agreement, apply to any court, state or federal, for injunctive relief against any violation by Owner or apply for such other relief against any violation by Owner or apply for such other relief as may be appropriate.

City does not waive any claim of default by Owner if City does not enforce or cancel this Agreement. All other remedies at law or in equity which are not otherwise provided for in this Agreement or in City's regulations governing historic properties are available to the City to pursue in the event that there is a breach of this Agreement. No waiver by City of any breach or default under this agreement shall be deemed to be a waiver of any other subsequent breach thereof or default herein under.

8. Binding Effect of Agreement. The Owner hereby subjects the Historic Property described in Exhibit "A" hereto to the covenants, reservations and restriction as set forth in this Agreement. City and Owner hereby declare their specific intent that the covenants, reservations and restrictions as set forth herein shall be deemed covenants running with the land and shall pass to and be binding upon the Owner's successors and assigns in title or interest to the Historic Property. Each and every contract, deed or other instrument hereinafter executed, covering or conveying the Historic Property, or any portion thereof, shall conclusively be held to have been executed, delivered and accepted subject to the covenants, reservations and restrictions expressed in this Agreement regardless of whether such covenants, reservations and restrictions are set forth in such contract, deed or other instrument.

City and Owner hereby declare their understanding and intent that the burden of the covenants, reservations and restrictions set forth herein touch and concern the land in that Owner's legal interest in the Historic Property is rendered less valuable thereby. City and Owner hereby further declare their understanding and intent that the benefit of such covenants, reservations and restrictions touch and concern the land by enhancing and maintaining the historic characteristics and significance of the Historic Property for the benefit of the public and the Owner.

9. Notice. Any notice required to be given by the terms of this Agreement shall be provided at the address of the respective parties as specified below or at any other address as may be later specified by the parties hereto.

To City: City of Ontario
 303 East "B" Street
 Ontario, CA 91764

 Attention: Planning Director

To Owner: Walter and Wendi Hafner
 206 East Princeton Street
 Ontario, CA 91764

10. General Provisions.

A. None of the terms, provisions or conditions of this Agreement shall be deemed to create a partnership between the parties hereto and any of their heirs, successors or assigns, nor shall such terms, provisions or conditions cause them to be considered joint ventures or members of any joint enterprise.

B. Owner agrees to and shall hold City and its elected officials, officers, agents, and employees harmless from liability for damage or claims for damage for personal injuries, including death, and claims for property damage which may arise from the direct or indirect use or operations of Owner or those of his contractor, subcontractor, agent, employee or other person acting on his behalf which relates to the use, operation and maintenance of the Historic Property. Owner hereby agrees to and shall defend the City and its elected officials, officers, agents, and employees with respect to any and all actions for damages caused by, or alleged to have been caused by, reason of Owner's activities in connection with the Historic Property. This hold harmless provision applies to all damages and claims for damages suffered, or alleged to have been suffered, by reason of the operations referred to in this Agreement regardless of whether or not the City prepared, supplied or approved the plans, specifications or other documents for the Historic Property.

C. All of the agreements, rights, covenants, reservations and restrictions contained in this Agreement shall be binding upon and shall inure to the benefit of the parties herein, their heirs, successors, legal representatives, assigns and all persons acquiring any part or portion of the Historic Property, whether by operation of law or in any manner whatsoever.

D. In the event legal proceedings are brought by any party or parties to enforce or restrain a violation of any of the covenants, reservations or restrictions contained herein, or to determine the rights and duties of any party hereunder, the prevailing party in such proceeding may recover all reasonable attorney's fees to be fixed by the court, in addition to court costs and other relief ordered by the court.

E. In the event that any of the provisions of this Agreement are held to be unenforceable or invalid by any court of competent jurisdiction, or by subsequent preemptive legislation, the validity and enforceability of the remaining provisions, or portions thereof, shall not be affected thereby.

F. This Agreement shall be construed and governed in accordance with the laws of the State of California.

11. Recordation. No later than twenty (20) days after the parties execute and enter into this Agreement, the City shall cause this Agreement to be recorded in the office of the County Recorder of the County of San Bernardino.

12. Amendments. This Agreement may be amended, in whole or in part, only by a written recorded instrument executed by the parties hereto.

IN WITNESS WHEREOF, City and Owner have executed this Agreement on the day and year first written above.

CITY OF ONTARIO

Dated: _____

By: _____
Al C. Boling, City Manager

Attest

City Clerk

Approved as to Form

John E. Brown, City Attorney

Dated: _____

By: _____
Walter Hafner, Owner

Dated: _____

By: _____
Wendi Hafner, Owner

Exhibit A

State of California Cultural Resource Database

Mills Act Contract

EXHIBIT A HISTORIC PROPERTY PRESERVATION AGREEMENT

Legal Description

City of Ontario

Planning Department

303 East B Street

Ontario, CA 91764

Phone: 9093952036

Fax: 9093952420

<http://www.ci.ontario.ca.us>

File No: PHP16-013

The property located at: 224 East Princeton Street

Ontario, CA 91764

is legally described as: COLLEGE PARK TRACT LOT 2 BLK 1

APN: 104754112

Exhibit B

State of California Cultural Resource Database

Mills Act Contract

EXHIBIT B HISTORIC PROPERTY PRESERVATION AGREEMENT
Property Maintenance

City of Ontario

Planning Department

303 East B Street

Ontario, CA 91764

Phone: 9093952036

Fax: 9093952420

<http://www.ci.ontario.ca.us>

Address: 224 E Princeton Street
Ontario, CA 91764

APN: 104754112

File No: PHP16-013

All buildings, structures, yards and other improvements shall be maintained in a manner which does not detract from the appearance of the immediate neighborhood. The following conditions are prohibited:

1. Dilapidated, deteriorating, or unrepaired structures, such as fences, roofs, doors, walls, and windows;
2. Scrap lumber, junk, trash or debris;
3. Abandoned, discarded or unused objects or equipment, such as automobiles, automobile parts, furniture, stoves, refrigerators, cans, containers, or similar items;
4. Stagnant water or excavations, including unmaintained pools or spas;
5. Any device, decoration, design, structure or vegetation which is unsightly by reason of its height, condition, or its inappropriate location.

The property owner shall also comply with the provisions of the Duty to Keep in Good Repair Section of the Historic Preservation Ordinance (Sec. 9-1.7.01.045 of the Ontario Development Code) and all other applicable provisions of the City's Property Appearance - Nuisance Ordinance (Chapter 22 of Title 5 of the Ontario Municipal Code, Commencing at Sec. 5-22.02).

Exhibit C

State of California Cultural Resource Database

Mills Act Contract

EXHIBIT C HISTORIC PROPERTY PRESERVATION AGREEMENT

Proposed Improvements

City of Ontario

Planning Department

303 East B Street

Ontario, CA 91764

Phone: 9093952036

Fax: 9093952420

<http://www.ci.ontario.ca.us>

Address: 224 E Princeton Street

APN: 104754112

File No: PHP16-013

Ontario, CA 91764

Improvements Information:

Description:	Completed?
Year 2017: Scrape peeling paint and paint exterior of house.	<input type="checkbox"/>
Year 2018: Landscape and repair lawn in front and rear yard.	<input type="checkbox"/>
Year 2019: Replace garage door with period appropriate door.	<input type="checkbox"/>
Year 2020: Install french drain in front of garage.	<input type="checkbox"/>
Year 2021: Install new front period appropriate fence (\$1,500). Repair and patch plaster (interior) (\$2,000).	<input type="checkbox"/>
Year 2022: Repair and replace baseboard and door molding (\$2,000). Sand and refinish front door (\$200). Replace interior lighting with period appropriate fixtures (\$1,000).	<input type="checkbox"/>
Year 2023: Sand and refinish hardwood floors throughout house.	<input type="checkbox"/>
Year 2024: Replace hardware and handles on interior doors/cabinets to period appropriate hardware (\$300).	<input type="checkbox"/>
Year 2025: Install new roof.	<input type="checkbox"/>
Year 2026: Install new fireplace with period appropriate mantle and surround.	<input type="checkbox"/>

A notary public or other officer completing this certificate certifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California

County of San Bernardino

On _____ before me, _____, Notary Public,
personally appeared _____

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies) and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature _____ (Seal)

A notary public or other officer completing this certificate certifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California

County of San Bernardino

On _____ before me, _____, Notary Public,
personally appeared _____

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies) and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature _____ (Seal)

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING FILE NO. PHP16-015, AND AUTHORIZING THE CITY OF ONTARIO TO ENTER INTO A HISTORIC PROPERTY PRESERVATION AGREEMENT WITH KELLY STRAYER AND ROBERT MILLER FOR THE PROPERTY LOCATED AT 403 EAST ROSEWOOD COURT (APN: 1048-063-17).

WHEREAS, California Government Code Section 50280, et seq., authorizes cities to enter into contracts with the owners of a qualified historical property to provide for the use, maintenance and restoration of such historical property so as to retain its characteristics as a property of historical significance: and

WHEREAS, Kelly Strayer and Robert Miller possess fee title in and to that certain real property, together with associated structures and improvements thereon, generally located at the street address commonly known as 403 East Rosewood Court, Ontario, California (hereinafter referred to as the "Property"); and

WHEREAS, on October 2, 2001, the City Council of the City of Ontario designated the Property as a Contributor to the Rosewood Court Historic District pursuant to the terms and provisions of Chapter 4, of the Ontario Development Code; and

WHEREAS, on October 13, 2016, the Historic Preservation Subcommittee conducted a hearing and issued Decision No. HPSC16-014, recommending the Historic Preservation Commission recommend the City Council approve the Application; and

WHEREAS, on October 25, 2016, the Historic Preservation Commission conducted a hearing and issued Resolution No. PC16-068, recommending the City Council approve the Application; and

WHEREAS, the City, Kelly Strayer and Robert Miller, for their mutual benefit, now desire to enter into a Historic Property Preservation Agreement, a copy of which is attached hereto as Exhibit "A" and incorporated herein by reference (hereinafter referred to as the "Preservation Agreement").

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

SECTION 1. That the Preservation Agreement, which is subject to the provisions of the City's Development Code (Sec. 4.02.065), is ratified and approved; and

SECTION 2. That the City Clerk of the City of Ontario, California, shall cause the Historic Preservation Agreement to be recorded in the office of the County Recorder of San Bernardino County.

SECTION 3. That the City Clerk of the City of Ontario, California, shall notify the San Bernardino County Assessor in writing that the property has entered into a Preservation Agreement within 30 days of the recordation of the contract.

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

PASSED, APPROVED, AND ADOPTED this 15th day of November, 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 November 15, 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 November 15, 2016.

SHEILA MAUTZ, CITY CLERK

(SEAL)

Exhibit A

RECORDING REQUESTED BY
And When
RECORDED MAIL TO:

City Clerk, City of Ontario
303 East "B" Street
Ontario, CA 91764

Exempt Recording Fees Pursuant to Government Code
Section 6103 & 27383

HISTORIC PROPERTY PRESERVATION AGREEMENT

THIS AGREEMENT is made and entered into this 15th day of November 2016, by and between the City of Ontario, a municipal corporation (hereinafter referred to as the "City") and Kelly Strayer and Robert Miller (hereinafter referred to as the "Owner").

WITNESSETH:

A. Recitals.

(I) California Government Code Section 50280, et seq., authorizes cities to enter into contracts with the owners of qualified historical property to provide for the use, maintenance and restoration of such historical property so as to retain its characteristics as property of historical significance;

(ii) Owner possesses fee title in and to that certain real property, together with associated structures and improvements thereon, commonly known as the Aaron Beasley House, generally located at the street address 403 East Rosewood Court, Ontario, CA 91764 (hereinafter such property shall be referred to as the "Historic Property"). A legal description of the Historic Property is attached hereto, marked as Exhibit "A" and is incorporated herein by this reference;

(iii) On October 2, 2001, the City Council of the City of Ontario designated the Historic Property as a contributor within the Rosewood Court Historic District pursuant to the terms and provisions of Title 9, Chapter 1 Chapter 4 of the Ontario Municipal Code; and,

(iv) The City and Owner, for their mutual benefit, now desire to enter into this agreement both to protect and preserve the characteristics of historical significance of the Historic Property and to qualify the Historic Property for an assessment of valuation pursuant to the Provisions of Chapter 3, of Part 2, of Division 1 of the California Revenue and Taxation Code.

B. Agreement

NOW, THEREFORE; City and Owner, in consideration of the mutual covenants and conditions set forth herein, do hereby agree as follows:

1. Effective Date and Term of Agreement. This Agreement shall be effective and commence on November 15, 2016, and shall remain in effect for a term of ten (10) years thereafter. Each year upon the anniversary of the effective date, such initial term will automatically be extended as provided in paragraph 2, below.

2. Renewal. Each year on the anniversary of the effective date of this Agreement (hereinafter referred to as the "renewal date"), a year shall automatically be added to the initial term of this Agreement unless notice of non-renewal is mailed as provided herein. If either Owner or City desires in any year not to renew the Agreement, Owner or City shall serve written notice of non-renewal of the Agreement on the other party in advance of the annual renewal date of the Agreement. Unless such notice is served by Owner to City at least ninety (90) days prior to the annual renewal date, or served by City to Owner at least sixty (60) days prior to the annual renewal date, one (1) year shall automatically be added to the term of the Agreement provided herein. Owner may make a written protest of the notice. Upon receipts by the Owner of a notice from the City of non-renewal, the City may, at any time prior to the annual renewal date of the Agreement, withdraw its notice to Owner of non-renewal. If either City or Owner serves notice to the other of

non-renewal in any year, the Agreement shall remain in effect for the balance of the term then remaining, either from its original execution or from the last renewal of the Agreement, whichever may apply.

3. Fees. Prior to recordation the applicant shall pay the applicable fee in effect at the time recordation is requested.

4. Standards for Historical Property. During the term of this Agreement, the Historic Property shall be subject to the following conditions, requirements and restrictions:

A. Owner shall preserve and maintain the characteristics of historical significance of the Historic Property. Attached hereto, marked as Exhibits "B", and incorporated herein by this reference, is a list of those minimum standards and conditions for maintenance, use and preservation of the Historic Property, which shall apply to such property throughout the term of this Agreement.

B. Owner shall, where necessary, restore and rehabilitate the property according to the rules and regulations of the Office of Historic Preservation of the Department of Parks and Recreation, the United States Secretary of the Interior's Rehabilitation Standards and the State Historical Building Code and in accordance with the attached schedule of potential home improvements, drafted by the applicant and approved by the City Council, attached hereto as Exhibit "C".

C. Owner shall allow reasonable periodic examinations, by prior appointment, of the interior and exterior of the Historic Property by representatives of the County Assessor, State Department of Parks and Recreation, State Board of Equalization, and the City, as may be necessary to determine Owner's compliance with the terms and provisions of this Agreement.

5. Provision of Information of Corporation. Owner hereby agrees to furnish City with any and all information requested by the City, which may be necessary or advisable to determine compliance with the terms and provision of this Agreement.

6. Cancellation. City, following a duly noticed public hearing as set forth in California Government Code Sections 50280, et seq., may cancel this Agreement if it determines that Owner breached any of the conditions of this Agreement or has allowed the property to deteriorate to the point that it no longer meets the standards for a qualified historic property. City may also cancel this Agreement if it determines that the Owner has failed to restore or rehabilitate the property in the manner specified in subparagraph 3(B) of this Agreement. In the event of cancellation, Owner may be subject to payment of those cancellation fees set forth in California Government Code Sections 50280, et seq.

7. Enforcement of Agreement. In lieu of and/or in addition to any provision to cancel the Agreement as referenced herein, City may specifically enforce, or enjoin the breach of, the terms of this Agreement. In the event of a default, under the provisions of this Agreement by Owner, City shall give written notice to Owner by registered or certified mail addressed to the address stated in this Agreement, and if such a violation is not corrected to the reasonable satisfaction of the City within thirty (30) days thereafter, or if not corrected within such reasonable time as may be required to cure the breach or default if said breach or default cannot be cured within thirty (30) days (provided that acts to cure the breach of default may be commenced within thirty (30) days and must be pursued to completion by Owner), then City may, without further notice, declare a default under the terms of this Agreement and may bring any action necessary to specifically enforce the obligations of Owner growing out of the terms of this Agreement, apply to any court, state or federal, for injunctive relief against any violation by Owner or apply for such other relief against any violation by Owner or apply for such other relief as may be appropriate.

City does not waive any claim of default by Owner if City does not enforce or cancel this Agreement. All other remedies at law or in equity which are not otherwise provided for in this Agreement or in City's regulations governing historic properties are available to the City to pursue in the event that there is a breach of this Agreement. No waiver by City of any breach or default under this agreement shall be deemed to be a waiver of any other subsequent breach thereof or default herein under.

8. Binding Effect of Agreement. The Owner hereby subjects the Historic Property described in Exhibit "A" hereto to the covenants, reservations and restriction as set forth in this Agreement. City and Owner hereby declare their specific intent that the covenants, reservations and restrictions as set forth herein shall be deemed covenants running with the land and shall pass to and be binding upon the Owner's successors and assigns in title or interest to the Historic Property. Each and every contract, deed or other instrument hereinafter executed, covering or conveying the Historic Property, or any portion thereof, shall conclusively be held to have been executed, delivered and accepted subject to the covenants, reservations and restrictions expressed in this Agreement regardless of whether such covenants, reservations and restrictions are set forth in such contract, deed or other instrument.

City and Owner hereby declare their understanding and intent that the burden of the covenants, reservations and restrictions set forth herein touch and concern the land in that Owner's legal interest in the Historic Property is rendered less valuable thereby. City and Owner hereby further declare their understanding and intent that the benefit of such covenants, reservations and restrictions touch and concern the land by enhancing and maintaining the historic characteristics and significance of the Historic Property for the benefit of the public and the Owner.

9. Notice. Any notice required to be given by the terms of this Agreement shall be provided at the address of the respective parties as specified below or at any other address as may be later specified by the parties hereto.

To City: City of Ontario
303 East "B" Street
Ontario, CA 91764

Attention: Planning Director

To Owner: Kelly Strayer and Robert Miller
403 East Rosewood Court
Ontario, CA 91764

10. General Provisions.

A. None of the terms, provisions or conditions of this Agreement shall be deemed to create a partnership between the parties hereto and any of their heirs, successors or assigns, nor shall such terms, provisions or conditions cause them to be considered joint ventures or members of any joint enterprise.

B. Owner agrees to and shall hold City and its elected officials, officers, agents, and employees harmless from liability for damage or claims for damage for personal injuries, including death, and claims for property damage which may arise from the direct or indirect use or operations of Owner or those of his contractor, subcontractor, agent, employee or other person acting on his behalf which relates to the use, operation and maintenance of the Historic Property. Owner hereby agrees to and shall defend the City and its elected officials, officers, agents, and employees with respect to any and all actions for damages caused by, or alleged to have been caused by, reason of Owner's activities in connection with the Historic Property. This hold harmless provision applies to all damages and claims for damages suffered, or alleged to have been suffered, by reason of the operations referred to in this Agreement regardless of whether or not the City prepared, supplied or approved the plans, specifications or other documents for the Historic Property.

C. All of the agreements, rights, covenants, reservations and restrictions contained in this Agreement shall be binding upon and shall inure to the benefit of the parties herein, their heirs, successors, legal representatives, assigns and all persons acquiring any part or portion of the Historic Property, whether by operation of law or in any manner whatsoever.

D. In the event legal proceedings are brought by any party or parties to enforce or restrain a violation of any of the covenants, reservations or restrictions contained herein, or to determine the rights and duties of any party hereunder, the prevailing party in such proceeding may recover all reasonable attorney's fees to be fixed by the court, in addition to court costs and other relief ordered by the court.

E. In the event that any of the provisions of this Agreement are held to be unenforceable or invalid by any court of competent jurisdiction, or by subsequent preemptive legislation, the validity and enforceability of the remaining provisions, or portions thereof, shall not be affected thereby.

F. This Agreement shall be construed and governed in accordance with the laws of the State of California.

11. Recordation. No later than twenty (20) days after the parties execute and enter into this Agreement, the City shall cause this Agreement to be recorded in the office of the County Recorder of the County of San Bernardino.

12. Amendments. This Agreement may be amended, in whole or in part, only by a written recorded instrument executed by the parties hereto.

IN WITNESS WHEREOF, City and Owner have executed this Agreement on the day and year first written above.

CITY OF ONTARIO

Dated: _____

By: _____
Al C. Boling, City Manager

Attest

City Clerk

Approved as to Form

John E. Brown, City Attorney

Dated: _____

By: _____
Kelly Strayer, Owner

Dated: _____

By: _____
Robert Miller, Owner

Exhibit A

State of California Cultural Resource Database

Mills Act Contract

EXHIBIT A HISTORIC PROPERTY PRESERVATION AGREEMENT

Legal Description

City of Ontario

Planning Department

303 East B Street

Ontario, CA 91764

Phone: 9093952036

Fax: 9093952420

<http://www.ci.ontario.ca.us>

File No: PHP16-015

The property located at: 403 E. Rosewood Ct.

Ontario, CA 91764

is legally described as: TRACT 1716 LOT 19 BLOCK 1

APN: 104806317

Exhibit B

State of California Cultural Resource Database
Mills Act Contract

EXHIBIT B HISTORIC PROPERTY PRESERVATION AGREEMENT
Property Maintenance

City of Ontario
Planning Department
303 East B Street
Ontario, CA 91764
Phone: 9093952036
Fax: 9093952420
<http://www.ci.ontario.ca.us>

Address: 403 E Rosewood Court
Ontario, CA 91764

APN: 104806317

File No: PHP16-015

All buildings, structures, yards and other improvements shall be maintained in a manner which does not detract from the appearance of the immediate neighborhood. The following conditions are prohibited:

1. Dilapidated, deteriorating, or unrepaired structures, such as fences, roofs, doors, walls, and windows;
2. Scrap lumber, junk, trash or debris;
3. Abandoned, discarded or unused objects or equipment, such as automobiles, automobile parts, furniture, stoves, refrigerators, cans, containers, or similar items;
4. Stagnant water or excavations, including unmaintained pools or spas;
5. Any device, decoration, design, structure or vegetation which is unsightly by reason of its height, condition, or its inappropriate location.

The property owner shall also comply with the provisions of the Duty to Keep in Good Repair Section of the Historic Preservation Ordinance (Sec. 9-1.7.01.045 of the Ontario Development Code) and all other applicable provisions of the City's Property Appearance - Nuisance Ordinance (Chapter 22 of Title 5 of the Ontario Municipal Code, Commencing at Sec. 5-22.02).

Exhibit C

State of California Cultural Resource Database
Mills Act Contract

EXHIBIT C HISTORIC PROPERTY PRESERVATION AGREEMENT
Proposed Improvements

City of Ontario
Planning Department
303 East B Street
Ontario, CA 91764
Phone: 9093952036
Fax: 9093952420
<http://www.ci.ontario.ca.us>

Address: 403 E Rosewood Court
Ontario, CA 91764

APN: 104806317

File No: PHP16-015

Improvements Information:

Description:	Completed?
Year 2017: Replace rotted wood frame front door and french door with new hardware.	<input type="checkbox"/>
Year 2018: Replace kitchen door with period appropriate door and hinges.	<input type="checkbox"/>
Year 2019: Remove tree that is lifting foundation.	<input type="checkbox"/>
Year 2020: Termite abatement.	<input type="checkbox"/>
Year 2021: Reglaze window in living room.	<input type="checkbox"/>
Year 2022: Paint interior.	<input type="checkbox"/>
Year 2023: Repair window in kitchen/breakfast nook area.	<input type="checkbox"/>
Year 2024: Exterior paint.	<input type="checkbox"/>
Year 2025: Landscape front yard.	<input type="checkbox"/>
Year 2026: Repair/replace driveway where cement is lifting.	<input type="checkbox"/>

A notary public or other officer completing this certificate certifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California

County of San Bernardino

On _____ before me, _____, Notary Public,
personally appeared _____

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies) and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature _____ (Seal)

A notary public or other officer completing this certificate certifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California

County of San Bernardino

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I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature _____ (Seal)

CITY OF ONTARIO

Agenda Report
November 15, 2016

**SECTION:
PUBLIC HEARINGS**

SUBJECT: CONSIDERATION OF A SPENDING PLAN FOR CITIZEN'S OPTION FOR PUBLIC SAFETY / ENHANCING LAW ENFORCEMENT ACTIVITIES SUBACCOUNT GRANT PROGRAM

RECOMMENDATION: That the City Council receive public comment for the Fiscal Year 2016-17 Citizen's Option for Public Safety (COPS) / Enhancing Law Enforcement Activities Subaccount (ELEAS) Grant; and approve the proposed spending plan.

COUNCIL GOALS: Regain Local Control of the Ontario International Airport
Maintain the Current High Level of Public Safety
Pursue City's Goals and Objectives by Working with Other Governmental Agencies

FISCAL IMPACT: On September 8, 2016, the California State Department of Finance announced the estimated funding allocation amounts to be awarded to each participating agency under the COPS/ELEAS grant program. The City of Ontario is eligible to receive a maximum grant award of \$261,607. Since this amount is based on an estimation of the FY2016-17 State of California's Vehicle License Fee (VLF) revenues, the allocation may be re-calculated and adjusted by the State Controller's Office. The grant funds will be distributed to the City in monthly installments. The City is not required to provide matching funds for this grant. If approved, the associated revenue and expenditure adjustments will be presented in the next quarterly budget report to the City Council.

BACKGROUND: Beginning in FY 2002-03, the State of California allocated grant monies (COPS/ELEAS), formerly known as Supplemental Law Enforcement Services Fund/Citizen's Option for Public Safety, to counties, who in turn, granted those monies to cities for the purpose of supporting front-line law enforcement needs. A public hearing is required for public input before the grant funds can be utilized.

STAFF MEMBER PRESENTING: Brad Kaylor, Chief of Police

Prepared by: Donna Bailey
Department: Police

Submitted to Council/O.H.A.

11/15/2016

Approved: _____

Continued to: _____

Denied: _____

City Manager
Approval: _____



16

Based on current front-line operational needs, the Police Department proposes the following grant spending plan:

• Frontline law enforcement equipment	\$261,607
TOTAL	<u>\$261,607</u>