

CITY OF ONTARIO
CITY COUNCIL AND HOUSING AUTHORITY
AGENDA
APRIL 3, 2012

Paul S. Leon
Mayor

Sheila Mautz
Mayor pro Tem

Alan D. Wapner
Council Member

Jim W. Bowman
Council Member

Debra Dorst-Porada
Council Member



Chris Hughes
City Manager

John E. Brown
City Attorney

Mary E. Wirtes, MMC
City Clerk

James R. Milhiser
Treasurer

WELCOME to a meeting of the Ontario City Council.

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

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

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

CALL TO ORDER (*OPEN SESSION*)

6:00 p.m.

ROLL CALL

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

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

CLOSED SESSION

- GC 54956.8, CONFERENCE WITH REAL PROPERTY NEGOTIATORS
Property: APN 1010-521-03-0000, 1165 W. Hollowell Street; City/Authority Negotiator: Chris Hughes or his designee; Negotiating parties: Minerva L. Lim; Under negotiation: Price and terms of payment.
- GC 54956.8, CONFERENCE WITH REAL PROPERTY NEGOTIATORS
Property: APNs 1048-552-14, 15 and 17 and 1048-551-11; 240 North Euclid Avenue, 116 East C Street, and 308 North Euclid Avenue; City/Authority Negotiator: Chris Hughes or his designee; Negotiating parties: Wells Fargo Bank, N.A.; Under negotiation: Terms of Lease Amendment No. 4.
- GC 54957.6, CONFERENCE WITH LABOR NEGOTIATOR: Chris Hughes regarding Ontario Police Officers Association and Ontario Police Management Group.
- GC 54957.6, CONFERENCE WITH LABOR NEGOTIATOR: Chris Hughes regarding Ontario Professional Firefighters Association and Ontario Fire Management Group.

- GC 54956.9 (b), CONFERENCE WITH LEGAL COUNSEL, ANTICIPATED LITIGATION:
One or more cases: City of Los Angeles/Los Angeles World Airports (LAWA).

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

PLEDGE OF ALLEGIANCE

Council Member Bowman

INVOCATION

Pastor Carlos Gonzales, Inland Valley Church of Christ

REPORT ON CLOSED SESSION

City Attorney

PUBLIC COMMENTS

6:30 p.m.

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

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

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

CONSENT CALENDAR

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

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

1. APPROVAL OF MINUTES

Minutes for the regular meeting of the City Council and Housing Authority of March 6, 2012, and approving same as on file in the Records Management Department.

2. BILLS/PAYROLL

Bills February 26, 2012 through March 10, 2012 and **Payroll** February 26, 2012 through March 10, 2012, when audited by the Finance Committee.

3. AWARD A LICENSING AND MAINTENANCE AGREEMENT FOR POLARIS INTEGRATED LIBRARY SYSTEM

That the City Council authorize the City Manager, or designee, to execute a purchase agreement for the Polaris Integrated Library System for a cost of \$56,917; and authorize a five-year Licensing and Maintenance Agreement (on file with Records Management Department) with GIS Information Systems, Inc. of Syracuse, New York, for an annual licensing and maintenance cost of \$46,843 for a total of \$234,215 consistent with City Council approved budgets.

4. CONSTRUCTION CONTRACT FOR SOUTH BON VIEW PARK/KASA CONSTRUCTION

That the City Council authorize the City Manager to (1) execute Contract No. PS1011-2 (on file in the Records Management Department) with KASA Construction of Ontario, California, for the construction of South Bon View Park in the amount of \$809,777; (2) approve and execute deductive change orders of \$59,251 in order to value engineer the project and create an adequate contingency fund of \$112,579; (3) approve and execute all change orders up to the amount of the contingency fund; and (4) authorize the filing of the Notice of Completion at the conclusion of all construction activities related to the project.

5. ADOPTION OF THE PREQUALIFIED BIDDERS LIST WHO MAY BID ON THE EMERGENCY OPERATIONS CENTER AND OTHER CITY HALL AND CITY HALL ANNEX IMPROVEMENT PROJECTS

That the City Council adopt the list of general contractors who have successfully passed the City Hall Annex/City Hall Basement Improvement Project Prequalification as the sole list of bidders who may bid on the Emergency Operations Center and other City Hall Annex and City Hall Basement Improvement projects.

6. AN ARCHITECTURAL SERVICES AGREEMENT FOR DESIGN SERVICES FOR THE EMERGENCY OPERATIONS CENTER AND OTHER CITY HALL AND CITY HALL ANNEX IMPROVEMENTS/ROBERT BORDERS & ASSOCIATES

That the City Council authorize the City Manager to execute an architectural services agreement (on file in the Records Management Department) with Robert Borders & Associates, of Newport Beach, California, in the amount of \$591,230 for design services for the Emergency Operations Center (EOC) and other City Hall and City Hall Annex improvements.

7. A LEASE AGREEMENT BETWEEN CALIFORNIA STATE UNIVERSITY SAN BERNARDINO, INLAND EMPIRE CENTER FOR ENTREPRENEURSHIP AND SMALL BUSINESS DEVELOPMENT CENTER AND THE CITY OF ONTARIO

That the City Council, acting as Successor Agency to the Ontario Redevelopment Agency, approve a Lease Agreement (on file with the Records Management Department) between California State University San Bernardino, Inland Empire Center for Entrepreneurship and Small Business Development Center and the City of Ontario for the use of certain City-owned property located at 603 North Euclid Avenue.

8. AN ORDINANCE REPEALING ORDINANCE NO. 2938 ELECTING TO PARTICIPATE IN THE ALTERNATIVE VOLUNTARY REDEVELOPMENT PROGRAM PURSUANT TO HEALTH AND SAFETY CODE SECTION 34192

That the City Council adopt an ordinance repealing Ordinance No. 2938 electing to participate in the Alternative Voluntary Redevelopment Program Pursuant to Health and Safety Code Section 34192.

ORDINANCE NO. 2948

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, REPEALING ORDINANCE NO. 2938 ELECTING TO PARTICIPATE IN THE ALTERNATIVE VOLUNTARY REDEVELOPMENT PROGRAM PURSUANT TO HEALTH AND SAFETY CODE SECTION 34192 ET SEQ.

9. COOPERATIVE AGREEMENT WITH THE CITY OF EASTVALE FOR THE DESIGN AND CONSTRUCTION OF THE SOUTH MILLIKEN AVENUE GRADE SEPARATION PROJECT/CITY OF EASTVALE

That the City Council approve a cooperative agreement between the City of Eastvale and the City of Ontario (on file with the Records Management Department) including \$15,000 for the design and construction of the South Milliken Avenue Grade Separation Project, and authorize the City Manager to execute said agreement, future amendments and related documents.

10. AWARD OF BIDS FOR THE PURCHASE OF REPLACEMENT FLEET VEHICLES AND EQUIPMENT/GLENN B. DORNING, INC./THEODORE ROBINS FORD/E-W TRUCK & EQUIPMENT CO.

That the City Council take the following actions:

- (A) Award Bid No. 177 to Glenn B. Dorning, Inc., of Ontario, California, in the amount of \$20,688 for the purchase and delivery of one (1) Kubota Utility Vehicle with attachments;
- (B) Award Bid No. 197 to Theodore Robins Ford of Costa Mesa, California, in the amount of \$29,309 for the purchase and delivery of one (1) Ford AWD Utility Police Interceptor; and
- (C) Award Bid No. 195 to E-W Truck & Equipment Co., Inc. of San Diego, California, in the amount of \$1,501,136 for the purchase and delivery of six (6) Autocar Model ACX64 CNG Powered Solid Waste Side-Loaders.

11. PURCHASE OF ELECTROCARDIOGRAM (EKG) MONITOR/ DEFIBRILLATOR EQUIPMENT/PHYSIO-CONTROL, INC.

That the City Council authorize the purchase of EKG monitor/defibrillator equipment from Physio-Control, Inc., of Redmond, Washington, in the amount of \$167,113 for use on Fire Department paramedic apparatus.

12. AWARD A PURCHASE AGREEMENT AND CONSTRUCTION CONTRACT FOR THE CONSTRUCTION AND INSTALLATION OF THE POLICE FIREARMS TRAINING FACILITY/DLE CONSTRUCTION/ACTION TARGET, INC.

That the City Council take the following actions:

- (A) Cancel the City's January 18, 2012 solicitation (Bid No. 184) and reject all bids received in conjunction with Bid No. 184;
- (B) Award a construction contract (on file in the Records Management Department) in the amount of \$320,000 with DLE Construction of West Covina, California, to perform site preparation and equipment installation;
- (C) Award a purchase agreement in the amount of \$946,902 with Action Target, Inc., of Provo, Utah, for the procurement of firing range and simunition house components utilizing the GSA supply schedule and following the terms and conditions found therewith;
- (D) Authorize a 10% project-wide contingency in the amount of \$143,190; and
- (E) Authorize the City Manager or his designee to execute all contracts, purchase orders; change orders up to the amount of the contingency fund and related documents; and authorize the filing of the Notices of Completion at the conclusion of all construction activities related to the project.

13. PURCHASE OF A SWAT VEHICLE UNDER THE CALIFORNIA EMERGENCY MANAGEMENT AGENCY PUBLIC SAFETY PROCUREMENT PROGRAM

That the City Council authorize the purchase of a Special Weapons And Tactics (SWAT) Vehicle for the Police Department under the California Emergency Management Agency (CalEMA) Public Safety Procurement Program (1122 Program) for up to \$340,000, including a \$10,000 contingency.

PUBLIC HEARINGS

14. A CITY INITIATED REQUEST TO AMEND THE ONTARIO DEVELOPMENT CODE (FILE NO. PDCA12-001) ADDING ARTICLE 22, MULTI-MODAL TRANSIT OVERLAY DISTRICT, CREATING THE OVERLAY DISTRICT AND ESTABLISHING DEVELOPMENT STANDARDS AND PERMITTED AND CONDITIONALLY PERMITTED USES

That the City Council introduce and waive further reading of an ordinance approving Development Code Amendment File No. PDCA12-001, adding Development Code Article 22, Multi-Modal Transit Overlay District, creating the overlay district and establishing development standards and permitted and conditionally permitted uses for approximately 75 acres of land located south of Interstate 10, west of Archibald Avenue, and north and east of Guasti Road (Assessor's Parcel Numbers 110-322-08, 17, 18, 21, 22, 25, 27, 29, 30, 31, and 33).

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. PDCA12-001, A DEVELOPMENT CODE AMENDMENT ADDING ARTICLE 22, MULTI-MODAL TRANSIT OVERLAY DISTRICT, CREATING THE OVERLAY DISTRICT AND ESTABLISHING DEVELOPMENT STANDARDS AND PERMITTED AND CONDITIONALLY PERMITTED USES FOR APPROXIMATELY 75 ACRES OF LAND LOCATED SOUTH OF INTERSTATE 10, WEST OF ARCHIBALD AVENUE, NORTH OF THE RAILROAD TRACKS, AND EAST OF GUASTI ROAD MAKING FINDINGS IN SUPPORT THEREOF (APN: 110-322-08, 17, 18, 21, 22, 25, 27, 29, 30, 31, AND 33).

COUNCIL MATTERS

NOMINATION AND APPOINTMENT TO THE RECREATION AND PARKS COMMISSION

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

STAFF MATTERS

City Manager Hughes

ADJOURNMENT

CITY OF ONTARIO CLOSED SESSION REPORT

City Council / / Housing Authority / / Other / / (GC 54957.1)

April 3, 2012

ROLL CALL: Mautz __, Wapner __, Bowman __, Dorst-Porada __
Mayor / Chairman Leon __.

STAFF: City Manager / Executive Director __, City Attorney __

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

- GC 54956.8, CONFERENCE WITH REAL PROPERTY NEGOTIATORS
Property: APN 1010-521-03-0000, 1165 W. Hollowell Street; City/Authority
Negotiator: Chris Hughes or his designee; Negotiating parties: Minerva L. Lim;
Under negotiation: Price and terms of payment.

No Reportable Action	Continue	Approved
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Disposition: _____

- GC 54956.8, CONFERENCE WITH REAL PROPERTY NEGOTIATORS
Property: APN 1048-552-14, 15 AND 17 AND 1048-551-11; 240 North Euclid
Avenue, 116 East C Street, and 308 North Euclid Avenue; City/Authority Negotiator:
Chris Hughes or his designee; Negotiating parties: Wells Fargo Bank, N.A.; Under
negotiation: Terms of Lease Amendment No. 4.

No Reportable Action	Continue	Approved
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Disposition: _____

**CITY OF ONTARIO
CLOSED SESSION REPORT**

City Council / / Housing Authority / / Other / / (GC 54957.1)

April 3, 2012

- GC 54957.6, CONFERENCE WITH LABOR NEGOTIATOR: Chris Hughes regarding Ontario Police Officers Association and Ontario Police Management Group.

No Reportable Action Continue Approved

/ / / / / /

Disposition: _____

- GC 54957.6, CONFERENCE WITH LABOR NEGOTIATOR: Chris Hughes regarding Ontario Professional Firefighters Association and Ontario Fire Management Group.

No Reportable Action Continue Approved

/ / / / / /

Disposition: _____

- GC 54956.9 (b), CONFERENCE WITH LEGAL COUNSEL, ANTICIPATED LITIGATION: *One or more cases: City of Los Angeles/Los Angeles World Airports (LAWA).*

No Reportable Action Continue Approved

/ / / / / /

Disposition: _____

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

CITY OF ONTARIO

Agenda Report
April 3, 2012

SECTION:
CONSENT CALENDAR

SUBJECT: AWARD A LICENSING AND MAINTENANCE AGREEMENT FOR POLARIS INTEGRATED LIBRARY SYSTEM

RECOMMENDATION: That the City Council authorize the City Manager, or designee, to execute a purchase agreement for the Polaris Integrated Library System for a cost of \$56,917; and authorize a five-year Licensing and Maintenance Agreement (on file with Records Management Department) with GIS Information Systems, Inc. of Syracuse, New York, for an annual licensing and maintenance cost of \$46,843 for a total of \$234,215 consistent with City Council approved budgets.

COUNCIL GOALS: Develop Strategies and Take Action, Including Regaining Local Control of the Ontario International Airport, to Minimize the Negative Impacts of the Global Financial Downturn on Ontario's Economy and the City's Fiscal Health

Operate in a Businesslike Manner

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

FISCAL IMPACT: The Adopted Fiscal Year 2011-12 Budget includes appropriations of \$60,000 for the purchase of the new Polaris Integrated Library System, which includes implementation, training, data extraction, migration and installation for an initial purchase cost of \$56,917. The five year licensing and maintenance agreement will begin in Fiscal Year 2012-13 with a proposed annual cost of \$46,843, for a contract total of \$234,215. The annual licensing and maintenance costs will be lower than the costs of the City's current Horizon system and will be funded beginning Fiscal Year 2012-13 from the Information Technology Fund consistent with the current practice.

BACKGROUND: The current Integrated Library System (ILS) provided by Horizon is outdated, has become awkward to use and does not sufficiently serve the needs of the City library and its customers. In addition, support for the Horizon ILS product has become lacking. The new ILS software includes features for improved outreach services, a Spanish translation interface, phone access, eCommerce and patron access through mobile devices; and within a year will provide additional library sharing capabilities which will expand the resources available to City library users. Through these new features,

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

Prepared by: Helen Fisher

Department: Library

City Manager
Approval: 

Submitted to Council/O.H.A. 4/3/2012

Approved: _____

Continued to: _____

Denied: _____

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customers will have access to a catalog that is designed to imitate the convenience and ease of popular consumer websites resulting in better access to services for the community.

In early 2011, six vendors demonstrated their Integrated Library Software for Library and Information Technology staff. Of the six demonstrations presented, GIS Information Systems, Inc., located in Syracuse, New York, presented a system that met all the required specifications and had an annual cost lower than the current cost for licensing and maintenance.

<u>Vendor</u>	<u>Location</u>
Auto Graphics	Pomona, CA
GIS Information Systems, Inc.	Syracuse, NY
Innovative Interfaces	Emeryville, CA
LibLime	Bethesda, MD
Sirsi	Lehi, UT
The Library Corporation	Inwood, WV

Based on an evaluation of the demonstrations presented, credentials, pricing and favorable references, staff recommends the purchase of the new ILS software and that a five-year licensing maintenance agreement be awarded to GIS Information System, Inc.

CITY OF ONTARIO

Agenda Report
April 3, 2012

SECTION:
CONSENT CALENDAR

SUBJECT: CONSTRUCTION CONTRACT FOR SOUTH BON VIEW PARK


RECOMMENDATION: That the City Council authorize the City Manager to (1) execute Contract No. PS1011-2 (on file in the Records Management Department) with KASA Construction of Ontario, California, for the construction of South Bon View Park in the amount of \$809,777; (2) approve and execute deductive change orders of \$59,251 in order to value engineer the project and create an adequate contingency fund of \$112,579; (3) approve and execute all change orders up to the amount of the contingency fund; and (4) authorize the filing of the Notice of Completion at the conclusion of all construction activities related to the project.

COUNCIL GOALS: Develop Strategies and Take Action, Including Regaining Local Control of the Ontario International Airport, to Minimize the Negative Impacts of the Global Financial Downturn on Ontario's Economy and the City's Fiscal Health
Invest in the City's Infrastructure (Water, Streets, Sewers, Parks, Storm Drains and Public Facilities)
Encourage, Provide or Support Enhanced Recreational, Educational, Cultural and Healthy City Programs, Policies and Activities

FISCAL IMPACT: The Fiscal Year 2011-12 Capital Improvement Program Budget includes \$871,326 of appropriations for the construction of the South Bon View Park project. The low bid for the proposed construction work is \$809,777 plus a recommended contingency for a total of \$863,105. This project is being funded through a joint agreement with General Electric Company and has no impact to the General Fund.

BACKGROUND: In October 2008, the City entered into a License and Use agreement with General Electric Company (GE) to place injection wells at the City property located at 2033 South Bon View Avenue. As part of the agreement, GE must reimburse the City up to a maximum of \$1,000,000 for the design and development of the park in exchange for use of the park property for the well infrastructure. The park will include a restroom, play structure, a 17 stall parking lot with ADA accessibility, and landscaping.

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

Prepared by: Vern Stiner
Department: Parks and Maintenance
City Manager Approval: 

Submitted to Council/O.R.A./O.H.A. 4/3/2012
Approved: _____
Continued to: _____
Denied: _____

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In February 2012, the City solicited bids for the construction of the South Bon View Park project, and eleven (11) bids were received. KASA Construction located in Ontario, California, submitted a proposal that met all the required specifications with a base cost of \$809,777.

Vendor	Location	Amount
KASA Construction	Ontario, CA	\$809,777
Micron Construction	Placentia, CA	\$812,561
Braughton Construction	Rancho Cucamonga, CA	\$861,820
Oakview Constructors, Inc.	Calimesa, CA	\$888,000
CS Legacy Construction	Chino, CA	\$888,433
Jergensen Construction	Oak Hills, CA	\$897,368
Delt Builders, Inc.	Rancho Cucamonga, CA	\$918,300
Los Angeles Engineering, Inc.	Covina, CA	\$987,020
California Building Evaluation & Const	Buena Park, CA	\$961,314
Sunrise Landscape Co., Inc.	Santa Fe Springs, CA	\$1,043,168
Fleming Environmental Inc.	Fullerton, CA	\$1,124,415

The lowest bidder, KASA Construction has met all the bidding requirements and has been determined by staff to be both a responsive and responsible low bidder on the project. However KASA Construction's bid amount is approximately one hundred thousand dollars above the architect's estimate of \$711,492. As a result, staff had to undergo a review of the project including a constructability review, a cost analysis and value engineering. It was determined that the plans and specifications were well prepared and proposed construction costs consistent with today's market. Nevertheless, potential savings were identified through value engineering the project and could be accomplished through substitution of materials, redesign of sidewalk details and similar items.

Based on an evaluation of all proposals, credentials, pricing and favorable references, staff recommends the award of Contract PS 1011-2 to KASA Construction in the full amount of \$809,777, and that the City Manager be authorized to approve and execute deductive change orders in the amount of \$59,251 in order to implement the value engineering revisions and the necessary contingency of \$112,579, or 15%, for a total not to exceed amount of \$863,105.

CITY OF ONTARIO

Agenda Report
April 3, 2012

SECTION:
CONSENT CALENDAR

SUBJECT: ADOPTION OF THE PREQUALIFIED BIDDERS LIST WHO MAY BID ON THE EMERGENCY OPERATIONS CENTER AND OTHER CITY HALL AND CITY HALL ANNEX IMPROVEMENT PROJECTS

RECOMMENDATION: That the City Council adopt the list of general contractors who have successfully passed the City Hall Annex/City Hall Basement Improvement Project Prequalification as the sole list of bidders who may bid on the Emergency Operations Center and other City Hall Annex and City Hall Basement Improvement projects.

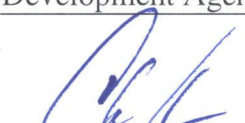
COUNCIL GOALS: Develop Strategies and Take Actions, Including Regaining Local Control of the Ontario International Airport, to Minimize the Negative Impacts of the Global Financial Downturn on Ontario's Economy and the City's Fiscal Health
Invest in the City's Infrastructure (Water, Streets, Sewers, Parks, Storm Drains and Public Facilities)

FISCAL IMPACT: The adoption of the list of prequalified general contractors who may bid on the Emergency Operations Center and other City Hall Annex and City Hall Basement Improvement projects will result in no fiscal impact to the City. Prequalification will not obligate the City to initiate the projects. The purpose of the prequalification is to increase the probability of selecting a financially stable and well qualified contractor, thereby lowering the City's overall risk exposure to delays and other claims.

BACKGROUND: Pursuant to California Public Contract Code Section 20101 which allows public agencies to require prospective bidders to prequalify for a project and City Council Resolution 2003-011 adopted on February 18, 2003, which established the City's prequalification process; staff solicited responses from general contractors interested in bidding on the City Hall Annex/City Hall Basement Improvement Project.

The creation of the permanent Emergency Operations Center (EOC) is one of three separate tasks included in the City Hall Annex/City Hall Basement Improvement Project prequalification scope of

STAFF MEMBER PRESENTING: Otto Kroutil, Development Director

Prepared by: David Simpson
Department: Development Agency
City Manager
Approval: 

Submitted to Council/O.H.A. 4/3/2012
Approved: _____
Continued to: _____
Denied: _____

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work. The other tasks are the City Hall Annex first floor improvements and City Hall basement improvements.

The prequalification solicitation was issued through the City's Bid Management System (Planet Bids) on November 18, 2011 and closed on December 19, 2011. The prequalification was based on the contractors' demonstrated experience, safety record, financial stability, and ability to perform. Seven general contractors responded. On January 9, 2012, in accordance with the prequalification package, the six successful general contractors were notified of their preliminary prequalification via Planet Bids. The six successful contractors are listed below:

- Hugo Alonso, Inc. of Chula Vista, CA
- KPRS Construction Services, Inc. of Brea, CA
- PCL Construction Services, Inc. of Glendale, CA
- R. C. Construction Services, Inc. of Rialto, CA
- Turner Construction Company on Anaheim, CA
- W. E. O'Neil Construction of Rancho Cucamonga, CA

One general contractor failed to prequalify due to a safety rating which fell below the minimum threshold. Staff contacted the firm by phone and advised them of staff's preliminary findings. These findings were also documented in a letter dated January 9, 2012.

Included in the prequalification notice was a statement of the appeals period for protesting the preliminary findings which ended on January 13, 2012. No appeals were filed. Based on the lack of appeals and the successful creation of a list of highly qualified contractors, staff recommends the City Council adopt the list of general contractors who have successfully passed the City Hall Annex/City Hall Basement Improvement Project Prequalification as the sole list of bidders who may bid on the City Hall Annex/City Hall Basement Improvement Project.

CITY OF ONTARIO

Agenda Report
April 3, 2012

SECTION:
CONSENT CALENDAR

SUBJECT: AN ARCHITECTURAL SERVICES AGREEMENT FOR DESIGN SERVICES FOR THE EMERGENCY OPERATIONS CENTER AND OTHER CITY HALL AND CITY HALL ANNEX IMPROVEMENTS

RECOMMENDATION: That the City Council authorize the City Manager to execute an architectural services agreement (on file in the Records Management Department) with Robert Borders & Associates, of Newport Beach, California, in the amount of \$591,230 for design services for the Emergency Operations Center (EOC) and other City Hall and City Hall Annex improvements.

COUNCIL GOALS: Develop Strategies and Take Actions, Including Regaining Local Control of the Ontario International Airport, to Minimize the Negative Impacts of the Global Financial Downturn on Ontario's Economy and the City's Fiscal Health
Invest in the City's Infrastructure (Water, Streets, Sewers, Parks, Storm Drains and Public Facilities)

FISCAL IMPACT: The cost of the project will be funded from a combination of grant and General Fund sources. Staff has applied for a Housing and Community Development Community Catalyst grant of \$500,000 and a Programmatic Funding Request through Congressman Baca's office for \$250,000. Receipt of these funds will reduce the amount of General Funds required. If approved, budget appropriations of \$591,230 for the project design will be included in the next quarterly budget report presented to the City Council.

BACKGROUND: On February 5, 2008, the City Council authorized the City Manager to enter into architectural services agreements with Robert Borders & Associates (RBA) of Newport Beach, California, resulting from a Request for Qualifications (RFQ) process for architectural services for the City Hall project. Upon completion of the RFQ, it was determined that economies of scale and a unified look could be realized by employing one architect for renovating all the City Hall facilities. Therefore, RBA was chosen to complete the work.

Since its selection, RBA has successfully coordinated the modernization of the Redevelopment Agency's offices located at 603 North Euclid Avenue; the Revenue Department's building at

STAFF MEMBER PRESENTING: Otto Kroutil, Development Director

Prepared by: David Simpson
Department: Development Agency

City Manager
Approval: 

Submitted to Council/O.H.A. 4/3/2012
Approved: _____
Continued to: _____
Denied: _____

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1333 South Bon View Avenue; the interim improvements to the City Hall Annex located at 200 North Cherry Avenue, and most recently, the City Hall building located at 303 East B Street.

In February and April of 2011, the City entered into contracts with RBA to create design development documents for the EOC located in the basement of 200 South Cherry Avenue and the City Hall Annex first floor and space planning schematics of the City Hall basement furniture improvements. The purpose of these contracts was to establish a construction budget and address improvements to City Hall not included in the recent renovation.

The proposed design agreement with RBA for \$591,230 includes three separate tasks (Project) that can be independently authorized or cancelled. These tasks involve the creation of construction documents and specifications for:

1. The permanent EOC, its support offices and infrastructure
2. City Hall Annex first floor improvements
3. City Hall basement modular furniture

If approved, the Project construction documents will be completed in June 2012, and the award of the construction contract is anticipated in September 2012.

CITY OF ONTARIO

Agenda Report
April 3, 2012

SECTION:
CONSENT CALENDAR

SUBJECT: A LEASE AGREEMENT BETWEEN CALIFORNIA STATE UNIVERSITY SAN BERNARDINO, INLAND EMPIRE CENTER FOR ENTREPRENEURSHIP AND SMALL BUSINESS DEVELOPMENT CENTER AND THE CITY OF ONTARIO

RECOMMENDATION: That the City Council, acting as Successor Agency to the Ontario Redevelopment Agency, approve a Lease Agreement (on file with the Records Management Department) between California State University San Bernardino, Inland Empire Center for Entrepreneurship and Small Business Development Center and the City of Ontario for the use of certain City-owned property located at 603 North Euclid Avenue.

COUNCIL GOALS: Develop Strategies and Take Actions, Including Regaining Local Control of the Ontario International Airport, to Minimize the Negative Impacts of the Global Financial Downturn on Ontario's Economy and the City's Fiscal Health
Invest in the Growth and Evolution of the City's Economy

FISCAL IMPACT: The lease rate for the property is proposed at \$1/per month, and in return, the City will gain the monetized value of the business assistance services provided to the community by the Center.

BACKGROUND: In late 2012, California State University San Bernardino (CSUSB), in partner with the Inland Empire Center for Entrepreneurship (IECE), was awarded a grant to operate a Small Business Development Center (Center) in the Inland Empire. Downtown Ontario was identified as a prime location for a new Center to provide business assistance services. Those services include, but are not limited to: support services, such as technical assistance; information dissemination; business education; organizational advice; resource referrals and marketing/advertising; seminars and workshops; business assistance in preparing feasibility studies, business plans, reviews of financial statements; and access to venture capital information. These services will be provided by Center staff at little or no cost to the businesses. To ensure the monetary value of the services provided by the Center reflects the current fair market rental rate of office space in downtown, the City will require the Center to provide an annual

STAFF MEMBER PRESENTING: John Andrews, Economic Development Director

Prepared by: Charity Hernandez
Department: Economic Development

City Manager
Approval: 

Submitted to Council/O.H.A. 4/3/2012

Approved: _____

Continued to: _____

Denied: _____

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report, subject to review and approval by the City, outlining the value of services provided, and any investment yielded by those services.

The services provided by the Center have the potential to result in significant positive impact for area businesses. For reference, during the period covering 2006-2011, services provided by the Center (Inland Empire and Orange network locations) influenced the creation of 260 new businesses; 2,023 new jobs; retention of 1,074 jobs; net increase in sales of approximately \$147 million; and roughly \$84 million in equity capital invested. When coupled with the services offered by the City and the Ontario Chamber of Commerce, this partnership can have a significant positive effect on small businesses in the community. In addition, the proposed office location at 603 North Euclid Avenue will benefit the Downtown Euclid Avenue District and Ontario Chamber of Commerce locations as a draw for daytime activity.

CITY OF ONTARIO

Agenda Report
April 3, 2012

SECTION:
CONSENT CALENDAR

SUBJECT: AN ORDINANCE REPEALING ORDINANCE NO. 2938 ELECTING TO PARTICIPATE IN THE ALTERNATIVE VOLUNTARY REDEVELOPMENT PROGRAM PURSUANT TO HEALTH AND SAFETY CODE SECTION 34192

RECOMMENDATION: That the City Council adopt an ordinance repealing Ordinance No. 2938 electing to participate in the Alternative Voluntary Redevelopment Program Pursuant to Health and Safety Code Section 34192.

COUNCIL GOALS: Develop Strategies and Take Actions, Including Regaining Local Control of the Ontario International Airport, to Minimize the Negative Impacts of the Global Financial Downturn on Ontario's Economy and the City's Fiscal Health
Invest in the Growth and Evolution of the City's Economy

FISCAL IMPACT: None.

BACKGROUND: At the meeting of March 20, 2012, the Ontario City Council introduced an ordinance concerning the repeal of Ordinance No. 2938 adopted on August 16, 2011, which approved participation in an Alternative Voluntary Redevelopment Program. Adoption of the ordinance will allow the City to repeal that certain Ordinance No. 2938. As part of the State of California's Fiscal Year 2011-2012 budget bill, companion bills Assembly Bill 1X 26 and Assembly Bill 1X 27 were enacted dissolving the Ontario Redevelopment Agency, unless the City of Ontario elected to participate in the Alternative Voluntary Redevelopment Program established by Assembly Bill 1X 27 and agreed to pay an annual community remittance payment to the County of San Bernardino. Pursuant to Assembly Bill 1X 27, the City Council adopted Ordinance No. 2938, on August 16, 2011, agreeing to make the community remittance payment in order to avoid dissolution of the Agency.

On July 18, 2011, a Petition for Writ of Mandate was filed in the Supreme Court of the State of California in the matter of *California Redevelopment Association, et al. v. Ana Matosantos, et al.*, challenging the constitutionality of Assembly Bill 1X 26 and Assembly Bill 1X 27 on behalf of cities,

STAFF MEMBER PRESENTING: John Andrews, Economic Development Director

Prepared by: John Andrews
Department: Economic Development

City Manager
Approval: 

Submitted to Council/O.H.A. 4/3/2012

Approved: _____

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Denied: _____

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counties and redevelopment agencies. On December 29, 2011, the Supreme Court issued its opinion in the legal action upholding Assembly Bill 1X 26 invalidating Assembly Bill 1X 27 in effect dissolving the Agency effective February 1, 2012. As a result of the Supreme Court's opinion invalidating Assembly Bill 1X 27, Ordinance No. 2938 is invalid and needs to be repealed.

CITY OF ONTARIO

Agenda Report
April 3, 2012

SECTION:
CONSENT CALENDAR

SUBJECT: COOPERATIVE AGREEMENT WITH THE CITY OF EASTVALE FOR THE DESIGN AND CONSTRUCTION OF THE SOUTH MILLIKEN AVENUE GRADE SEPARATION PROJECT

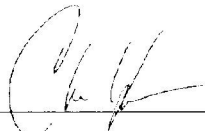
RECOMMENDATION: That the City Council approve a cooperative agreement between the City of Eastvale and the City of Ontario (on file with the Records Management Department) including \$15,000 for the design and construction of the South Milliken Avenue Grade Separation Project, and authorize the City Manager to execute said agreement, future amendments and related documents.

COUNCIL GOALS: Develop Strategies and Take Actions, Including Regaining Local Control of the Ontario International Airport, to Minimize the Negative Impacts of the Global Financial Downturn on Ontario's Economy and the City's Fiscal Health
Pursue City's Goals and Objectives by Working with Other Governmental Agencies
Invest in the City's Infrastructure (Water, Streets, Sewers, Parks, Storm Drains and Public Facilities)

FISCAL IMPACT: The cooperative agreement includes \$15,000 for design review and inspection purposes for Eastvale staff. The Fiscal Year 2011-12 Budget includes this cost as part of the overall design phase of the South Milliken Avenue Grade Separation Project. SANBAG's share of the expenses will be 80% of the actual expenses on a reimbursement basis in the amount of \$12,000 to be paid from Measure I funds. The City's share is 20% of the actual expenses, an estimated \$3,000, to be paid from Old Model Colony Development Impact Fee (OMC DIF) funds.

BACKGROUND: The project involves both the City of Ontario and the City of Eastvale because common city boundary lines exist through the intersection of the project. A location map is attached as Exhibit "A" for reference. The cooperative agreement defines the responsibilities of each agency, allows the agencies to jointly exercise powers related to constructing improvements within the City of Eastvale and grants consent to the City of Ontario to act as the lead agency in the acquisition of property in connection with the Project.

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

Prepared by: Jay Bautista
Department: Engineering
City Manager Approval: 

Submitted to Council/O.H.A. 4/3/2012
Approved: _____
Continued to: _____
Denied: _____

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Prior to Eastvale's incorporation as a city on October 1, 2010, the area was under the jurisdiction of the County of Riverside (County). Ontario discussed funding participation with the County during the preliminary engineering phase of the project. Similarly, at the regional level, SANBAG also discussed funding participation with Riverside County Transportation Commission (RCTC). Both the County and RCTC stated the project was not in the region's Transportation Uniform Mitigation Fee (TUMF) program and consequently were not in a position to contribute financially to the project. Under the TUMF, developers of residential, industrial, and commercial property pay a development fee to fund transportation projects that will be required as a result of the growth the projects create. Eastvale maintains the same position as the County and RCTC and by default cannot participate financially in the project. However, Eastvale has committed support and cooperation to help deliver the Project through execution of the subject Cooperative Agreement.

CITY OF ONTARIO

Agenda Report
April 3, 2012

SECTION:
CONSENT CALENDAR

SUBJECT: AWARD OF BIDS FOR THE PURCHASE OF REPLACEMENT FLEET VEHICLES AND EQUIPMENT


RECOMMENDATION: That the City Council take the following actions:

- (A) Award Bid No. 177 to Glenn B. Dorning, Inc., of Ontario, California, in the amount of \$20,688 for the purchase and delivery of one (1) Kubota Utility Vehicle with attachments;
- (B) Award Bid No. 197 to Theodore Robins Ford of Costa Mesa, California, in the amount of \$29,309 for the purchase and delivery of one (1) Ford AWD Utility Police Interceptor; and
- (C) Award Bid No. 195 to E-W Truck & Equipment Co., Inc. of San Diego, California, in the amount of \$1,501,136 for the purchase and delivery of six (6) Autocar Model ACX64 CNG Powered Solid Waste Side-Loaders.

COUNCIL GOALS: Develop Strategies and Take Actions, Including Regaining Local Control of the Ontario International Airport to Minimize the Negative Impacts of the Global Financial Downturn on Ontario's Economy and the City's Fiscal Health
Maintain the Current High Level of Public Safety
Operate in a Businesslike Manner

FISCAL IMPACT: The Fiscal Year 2011-12 Adopted Budget includes appropriations in the amount of \$1,609,000 for the purchase of the replacement vehicles listed above. The total cost of the vehicles and equipment recommended for purchase is \$1,551,133. Grant funds in the amount of \$180,000 from the Mobile Source Air Pollution Reduction Review Committee Local Government Match Program will be used to offset the incremental cost increase to outfit the six (6) replacement refuse trucks with CNG fuel systems.

STAFF MEMBER PRESENTING: Scott Burton, Utilities General Manager

Prepared by: Allen Rothery
Department: MU/Fleet Services
City Manager Approval: 

Submitted to Council/O.H.A. 4/3/2012
Approved: _____
Continued to: _____
Denied: _____

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BACKGROUND: These vehicles and equipment are scheduled for replacement pursuant to ongoing efforts to reduce expenses, maximize useful life expectancy, and extend replacement cycles of fleet vehicles while ensuring safe and reliable operation.

Bid No. 177: One (1) Kubota Utility Vehicle with Attachments
for Parks and Maintenance Department

The Kubota utility vehicle recommended for purchase replaces a similar piece of equipment that is 10 years old and has outlived its useful life expectancy. In December 2011, the City solicited bids (Invitation No. 177) and received one response.

<u>Supplier (Location)</u>	<u>Bid Amount</u>
Glenn B. Dorning, Inc., (Ontario, CA)	\$20,688

The bid award for the purchase and delivery of this replacement vehicle is recommended to Glenn B. Dorning, Inc., located in Ontario, California, as the only bidder for the vehicle in the amount of \$20,688.

Bid No. 197: One (1) 2013 Ford AWD Utility Police Interceptor
for Police Department

The Ford Interceptor SUV All Wheel Drive recommended for purchase replaces a Ford Crown Victoria that has outlived its useful life expectancy. The Ford Crown Victoria is no longer in production, so Fleet Services personnel worked closely with the Police Department in the field testing and evaluation of other types of pursuit rated vehicles. This evaluation included drivability related issues such as vehicle handling at various speeds, driver visibility, and ease of access in and out of the vehicle in emergency situations, all of which contribute to officer safety and service to the community. Further, staff evaluated the vehicles from a cost efficiency and maintenance perspective for fuel consumption, compatibility with existing parts inventory, and technician training necessary to perform repairs.

The 2013 Ford AWD Utility Police Interceptor had the highest overall rating. As a result, staff recommends the purchase of the Interceptor as a suitable test vehicle for consideration as the future replacement vehicle to the existing patrol fleet. The test vehicle will be utilized throughout the Police Department's operation to further evaluate durability, performance and officer safety requirements. In February 2012, the City solicited bids (Invitation No. 197) and received three responses.

<u>Supplier (Location)</u>	<u>Bid Amount</u>
Theodore Robins Ford (Costa Mesa, CA)	\$29,309
Fairview Ford (San Bernardino, CA)	\$29,531
Wondries Fleet Group (Alhambra, CA)	\$30,397

The bid award for the purchase and delivery of this replacement vehicle is recommended to Theodore Robins Ford located in Costa Mesa, California, as the lowest bidder for the vehicle in the amount of \$29,309.

Bid No. 195: Six (6) New Autocar Model ACX64
With Amrep Model AMHOASLTPO-19 Bodies
for Solid Waste Department

The six (6) refuse trucks recommended for purchase are replacements for vehicles that are all over nine years old. Staff recommends the purchase of the Autocar Model ACX64 single right hand drive cab and chassis with an Amrep body for the six (6) solid waste side-loaders. This purchase continues the ongoing effort to standardize the Solid Waste fleet. The operational benefits from standardization are operator familiarity and the extensive safety training already completed by Solid Waste drivers on this equipment, which will enhance driver safety and service to the community. Additionally, Fleet Services already has many of the tools, parts, training and experience needed to maintain the fleet in a more cost-effective and efficient manner. In February 2012, the City solicited bids (Invitation No. 195) and received two responses.

<u>Supplier (Location)</u>	<u>Bid Amount</u>
E-W Truck & Equipment Co. (San Diego, CA)	\$1,501,136
Los Angeles Truck Centers, LLC (Whittier, CA)	\$1,523,219

The bid award for the purchase and delivery of these replacement vehicles is recommended to E-W Truck & Equipment Co., Inc. located in San Diego, California, as the lowest bidder for the vehicles in the amount of \$1,501,136.

CITY OF ONTARIO

Agenda Report
April 3, 2012

SECTION:
CONSENT CALENDAR

**SUBJECT: PURCHASE OF ELECTROCARDIOGRAM (EKG) MONITOR/
DEFIBRILLATOR EQUIPMENT**

RECOMMENDATION: That the City Council authorize the purchase of EKG monitor/defibrillator equipment from Physio-Control, Inc., of Redmond, Washington, in the amount of \$167,113 for use on Fire Department paramedic apparatus.


COUNCIL GOALS: Develop Strategies and Take Actions, Including Regaining Local Control of the Ontario International Airport, to Minimize the Negative Impacts of the Global Financial Downturn on Ontario's Economy and the City's Fiscal Health
Maintain the Current High Level of Public Safety
Pursue City's Goals and Objectives by Working with Other Governmental Agencies

FISCAL IMPACT: On February 7, 2012, the City Council approved the acceptance of a grant award from the Federal Emergency Management Agency/U.S. Department of Homeland Security (FEMA/DHS) in the amount of \$176,624 for the purchase of six (6) EKG monitor/defibrillators. Appropriations were included in the Fiscal Year 2011-12 Adopted Mid Year Budget Report.

BACKGROUND: Physio Control, Inc. is the manufacturer of the Lifepack cardiac monitors which are currently utilized by both the Ontario Fire Department and transport provider, American Medical Response. Manufacturing and support services for the Lifepack 12 monitor were discontinued in 2009, which prompted the City's phased capital replacement program to upgrade to the newly supported version, the Lifepack 15. This upgraded monitor provides the benefits of rhythm transmission, capnography, CPR assistance, carbon monoxide, and carbon dioxide monitoring.

In January 2012, the City was awarded federal grant funds through the FY2011 FEMA/DHS Assistance to Firefighters Grant (AFG) program to accelerate the purchase and replacement of EKG monitor/defibrillator equipment and provide the Fire Department with continuity of equipment on all the City's paramedic apparatus. To fulfill the grant requirements, staff requests the purchase six (6) additional Physio-Control Lifepack 15 cardiac monitors.

STAFF MEMBER PRESENTING: Floyd E. Clark, Fire Chief

Prepared by: Nick Stepanian
Department: Fire Department
City Manager Approval: 

Submitted to Council/O.H.A. 4/3/2012
Approved: _____
Continued to: _____
Denied: _____

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This procurement will provide for standardization of equipment; maintain interoperability between the Fire Department and our transport provider; facilitate restock procedures; minimize retraining efforts; and prevent the creation and maintenance of a duplicate EKG data transmissions system.

CITY OF ONTARIO

Agenda Report
April 3, 2012

**SECTION:
CONSENT CALENDAR**

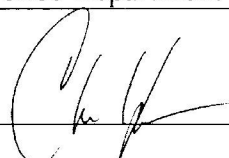
**SUBJECT: AWARD A PURCHASE AGREEMENT AND CONSTRUCTION CONTRACT
FOR THE CONSTRUCTION AND INSTALLATION OF THE POLICE
FIREARMS TRAINING FACILITY**

RECOMMENDATION: That the City Council take the following actions:

- (A) Cancel the City's January 18, 2012 solicitation (Bid No. 184) and reject all bids received in conjunction with Bid No. 184;
- (B) Award a construction contract (on file in the Records Management Department) in the amount of \$320,000 with DLE Construction of West Covina, California, to perform site preparation and equipment installation;
- (C) Award a purchase agreement in the amount of \$946,902 with Action Target, Inc., of Provo, Utah, for the procurement of firing range and simunition house components utilizing the GSA supply schedule and following the terms and conditions found therewith;
- (D) Authorize a 10% project-wide contingency in the amount of \$143,190; and
- (E) Authorize the City Manager or his designee to execute all contracts, purchase orders; change orders up to the amount of the contingency fund and related documents; and authorize the filing of the Notices of Completion at the conclusion of all construction activities related to the project.

COUNCIL GOALS: Develop Strategies and Take Actions, Including Regaining Local Control of the Ontario International Airport, to Minimize the Negative Impacts of the Global Financial Downturn on Ontario's Economy and the City's Fiscal Health
Maintain the Current High Level of Public Safety
Pursue City's Goals and Objectives by Working with Other Government Agencies

STAFF MEMBER PRESENTING: Eric Hopley, Chief of Police

Prepared by: Darryl Polk
Department: Police Department
City Manager Approval: 

Submitted to Council/O.H.A. 4/3/2012
Approved: _____
Continued to: _____
Denied: _____

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FISCAL IMPACT: With these recommended actions, the revised project cost for the Police Firearms Training Facility is \$1,575,092 which includes a 10% project-wide contingency (\$143,190) for unforeseen and unexpected work, materials and equipment. The project budget includes \$165,000 to procure necessary safety and training equipment, simunition supplies, information technology infrastructure, furnishings and paintwork.

The Police Department has successfully sought and received funding from multiple grants totaling \$1,083,429 through the State of California Department of Justice and the Office of Homeland Security. Additionally, the Fiscal Year 2010-11 Capital Improvement Program includes appropriations of \$140,494 to construct the Facility. Staff recommends the balance of \$351,169 to fully fund the project come from the Police Asset Forfeiture Account. If approved, all required appropriations adjustments will be included in the next quarterly budget report submitted to the City Council.

BACKGROUND: The Police Firearms Training Facility project includes interior renovation within the existing Police Headquarters Facility to accommodate a live-ammunition firing range, a configurable simunition training house, a laser-projection firearms training system, a modular classroom training area and firearms maintenance and storage facilities. The Facility will accommodate comprehensive firearm and officer safety training for the Ontario Police Department and will have the capacity to allow other agencies to utilize the facility for a rental fee.

In January 2012, the City solicited bids for site preparation, construction, and equipment installation related to the Police Firearms Training Facility Project (Bid No. 184). Due to changes in bid specifications, the solicitation was re-bid in February 2012. Staff recommends the City Council reject all previous bids and cancel Bid No. 184. In response to the February 2012 solicitation (Bid No. 200), nine (9) bids were received. All bids were reviewed for accuracy and compliance with the provisions contained in the project specifications. The lowest qualified bidder was DLE Construction with a bid amount of \$320,000. A summary of the bid results follows:

<u>Bidder</u>	<u>Location</u>	<u>Bid Amount</u>
DLE Construction	West Covina	\$320,000
Inland Building Construction Companies, Inc.	San Bernardino	\$337,691
Hoffman Management and Construction Corp.	Los Angeles	\$359,574
Broughton Construction, Inc.	Rancho Cucamonga	\$351,376
Fast-Track Construction Corp.	Culver City	\$353,609
CJPRO, Inc.	Fullerton	\$362,907
J M Builders, Inc.	Redlands	\$367,091
Jergensen Construction	Oak Hills	\$384,126
Monet Construction, Inc.	Sylmar	\$389,000

Separate from the above action, staff recommends purchasing all necessary modular firing range and simunition shoot-house components and equipment through Action Target of Provo, Utah. Action Target is a leading global supplier of Firearms Training Facility products and is the sole distributor of Hufor simunition modular shoot-house equipment. The recommended procurement is consistent with the terms and conditions of the cooperative purchasing authority under the GSA pricing schedule. Cooperative purchasing opportunities allow the City to pool its procurement power with other public agencies to obtain prices lower than would otherwise be possible. The Ontario Municipal Code Section 2-6.11 (b)(3) allows for the purchase of supplies and equipment through cooperative purchasing when another governmental agency generally follows the provisions of Government Code Section 54201 through 54204.

CITY OF ONTARIO

Agenda Report
April 3, 2012

SECTION:
CONSENT CALENDAR

SUBJECT: PURCHASE OF A SWAT VEHICLE UNDER THE CALIFORNIA EMERGENCY MANAGEMENT AGENCY PUBLIC SAFETY PROCUREMENT PROGRAM

RECOMMENDATION: That the City Council authorize the purchase of a Special Weapons And Tactics (SWAT) Vehicle for the Police Department under the California Emergency Management Agency (CalEMA) Public Safety Procurement Program (1122 Program) for up to \$340,000, including a \$10,000 contingency.

COUNCIL GOALS: Develop Strategies and Take Actions, Including Regaining Local Control of the Ontario International Airport, to Minimize the Negative Impacts of the Global Financial Downturn on Ontario's Economy and the City's Fiscal Health
Maintain the Current High Level of Public Safety
Pursue City's Goals and Objectives by Working with Other Governmental Agencies

FISCAL IMPACT: On February 7, 2012, the City Council approved the acceptance of a grant award of \$975,000 provided through the Urban Area Security Initiative (UASI) Grant Program. The grant spending plan allocated \$350,000 for the purchase of a SWAT Vehicle and related equipment.

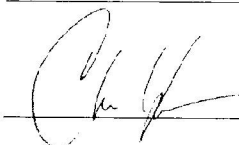
BACKGROUND: The Police Department's participation in the CalEMA 1122 Program has provided an additional resource to fulfill the City's project and program requirements while maximizing local funds. Past participation allowed for the purchase from specific federal sources of law enforcement related equipment for use by the SWAT Team and other special units.

The City Council approved spending plan for the FY 2011 UASI Grant Program included the purchase of a response vehicle for the Police Department's SWAT Team. Under the 1122 Program, using the General Services Administration (GSA) contracted vendors, the City is eligible to purchase a SWAT Vehicle for \$340,000 including delivery costs. The remaining grant allocation of \$10,000 will serve as a contingency with restricted use in accordance with the approved spending plan.

STAFF MEMBER PRESENTING: Eric Hopley, Chief of Police

Prepared by: Donna Bailey
Department: Police

City Manager
Approval:



Submitted to Council/O.H.A.

4/3/2012

Approved:

Continued to:

Denied:

CITY OF ONTARIO

Agenda Report
April 3, 2012

SECTION:
PUBLIC HEARINGS

SUBJECT: A CITY INITIATED REQUEST TO AMEND THE ONTARIO DEVELOPMENT CODE (FILE NO. PDCA12-001) ADDING ARTICLE 22, MULTI-MODAL TRANSIT OVERLAY DISTRICT, CREATING THE OVERLAY DISTRICT AND ESTABLISHING DEVELOPMENT STANDARDS AND PERMITTED AND CONDITIONALLY PERMITTED USES

RECOMMENDATION: That the City Council introduce and waive further reading of an ordinance approving Development Code Amendment File No. PDCA12-001, adding Development Code Article 22, Multi-Modal Transit Overlay District, creating the overlay district and establishing development standards and permitted and conditionally permitted uses for approximately 75 acres of land located south of Interstate 10, west of Archibald Avenue, and north and east of Guasti Road (Assessor's Parcel Numbers 110-322-08, 17, 18, 21, 22, 25, 27, 29, 30, 31, and 33).

COUNCIL GOALS: Develop Strategies and Take Actions, Including Regaining Local Control of the Ontario International Airport, to Minimize the Negative Impacts of the Global Financial Downturn on Ontario's Economy and the City's Fiscal Health
Invest in the Growth and Evolution of the City's Economy
Operate in a Businesslike Manner

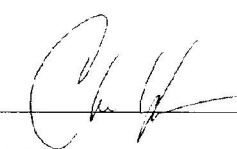
FISCAL IMPACT: The City would experience a nominal increase in revenue as a result of the business licenses required for the companies which operate within the overlay district; and would gain from the indirect fiscal benefits associated with jobs created by the same businesses.

BACKGROUND: In 1985, the zoning of the 75 acres bounded on the north by Interstate 10, on the east by Archibald Avenue, on the south by the railroad tracks, and west by Guasti Road was changed to Airport Related Services ("ARS"). As the name implies, the ARS zone permitted uses related to airport operations including, but not limited to, hotels, offices, personal services, and similar uses. Additionally, the ARS zone permitted some light manufacturing operations, such as optical goods, scientific instruments, watches/clocks, and some light assembly. The ARS zone did not, however, permit warehouse/distribution facilities or contractor's storage yards. As a result, use of the existing

STAFF MEMBER PRESENTING: Jerry L. Blum, Planning Director

Prepared by: Scott Murphy

Department: Planning

City Manager
Approval: 

Submitted to Council/O.H.A. 4/3/2012

Approved: _____

Continued to: _____

Denied: _____

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buildings became non-conforming – the office portion of the northerly building remained a permitted use.

With the adoption of The Ontario Plan (TOP) in 2010, the site was designated as the Multi-Modal Transit Center. That designation is the only one of its type in the City and creates a situation where the existing warehouse and contractor's storage yard uses on the site continue to remain non-conforming. Under the Development Code, the building could only be used for uses conforming to the land use designation. The northerly building is designed for warehouse/distribution uses and indeed has been used for many years as a warehouse operation. The building is ill-suited for uses allowed in the transit center (residential, office, retail) but still has a useful life. Generally, the concept of allowing non-conforming uses is so that the marginal properties can transition to new, desirable uses over time. In this case, the new use as a transit center may take years or decades to transition due to the lack of funding for transit infrastructure.

To allow the use of these structures until more definitive plans are available for the multi-modal transit center, an overly district is being proposed that will allow light industrial uses to occupy the existing buildings. Uses would include warehouse/distribution, light manufacturing, wholesale trade, and other similar uses that, in the opinion of the Zoning Administrator, are contained completely within the building and do not have the potential to negatively impact properties in the vicinity or is inconsistent with the vision for the area.

To ensure compliance with the long term TOP vision for the area, a "sunset clause" is included in the Ordinance that will result in the overlay district expiring under the following scenarios:

1. In 15 years on June 30, 2027, unless otherwise extended by the City Council; or
2. Upon demolition of the existing buildings.

The Planning Commission reviewed the proposed Development Code Amendment on March 27, 2012, and recommended approval of the application.