

**CITY OF ONTARIO
CITY COUNCIL AND HOUSING AUTHORITY
AGENDA
MAY 1, 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 1049-192-01, APN 1049-192-02, 435 South Bon View; City/Authority Negotiator: Chris Hughes or his designee; Negotiating parties: Innovative Food Source Inc.; Under negotiation: Price and terms of payment.
- GC 54956.8, CONFERENCE WITH REAL PROPERTY NEGOTIATORS
Property: APN 1010-521-02-0000, 1164 West Vesta; City/Authority Negotiator: Chris Hughes or his designee; Negotiating parties: Federal Home Loan Mortgage Corporation; Under negotiation: Price and terms of payment.
- 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 Wapner

INVOCATION

Pastor Marquedant, Sovereign Grace Baptist Church

REPORT ON CLOSED SESSION

City Attorney

PUBLIC COMMENTS

6:30 p.m.

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

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

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

CONSENT CALENDAR

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

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

1. APPROVAL OF MINUTES

Minutes for the regular meeting of the City Council and Housing Authority of April 3, 2012 and approving same as on file in the Records Management Department.

2. *BILLS/PAYROLL*

Bills March 25, 2012 through April 7, 2012 and **Payroll** March 25, 2012 through April 7, 2012, when audited by the Finance Committee.

3. *MANAGEMENT AGREEMENT FOR THE OPERATION OF THE ONTARIO CONVENTION CENTER/SMG*

That the City Council approve and authorize the City Manager to execute a five-year Management Agreement (on file in the Records Management Department) with SMG, of West Conshohocken, Pennsylvania, for the management and operation of the Ontario Convention Center as well as promotion of the City through the visitors and conventions bureau; and authorize the extension of the agreement for up to two years at the City's sole discretion.

4. *MEMORANDA OF UNDERSTANDING BETWEEN THE CITY OF ONTARIO AND THE ONTARIO POLICE OFFICERS ASSOCIATION; AND THE CITY OF ONTARIO AND THE ONTARIO POLICE MANAGEMENT GROUP FOR CHANGES IN TERMS AND CONDITIONS OF EMPLOYMENT DURING THE PERIOD OF JULY 1, 2012 THROUGH JUNE 30, 2014*

That the City Council approve and authorize the City Manager to execute two-year Memoranda of Understanding (MOU) regarding wages, hours, and other terms and conditions of employment for employees represented by the Ontario Police Officers Association (OPOA) and the Ontario Police Management Group (OPMG).

5. *MEMORANDA OF UNDERSTANDING BETWEEN THE CITY OF ONTARIO AND THE ONTARIO PROFESSIONAL FIREFIGHTERS ASSOCIATION, LOCAL 1430 IAFF; AND THE CITY OF ONTARIO AND THE ONTARIO FIRE MANAGEMENT GROUP FOR CHANGES IN TERMS AND CONDITIONS OF EMPLOYMENT DURING THE PERIOD OF JULY 1, 2012 THROUGH JUNE 30, 2014*

That the City Council approve and authorize the City Manager to execute two-year Memoranda of Understanding (MOU) regarding wages, hours, and other terms and conditions of employment for employees represented by the Ontario Professional Firefighters Association (OFFA) and the Ontario Fire Management Group (OFMG).

6. *CONSTRUCTION CONTRACT FOR 2012 PAVEMENT REHABILITATION AND A COOPERATIVE AGREEMENT WITH THE CITY OF RANCHO CUCAMONGA/ALL AMERICAN ASPHALT*

That the City Council approve the plans and specifications and award a construction contract (on file in the Records Management Department) to All American Asphalt of Corona, California, for the 2012 Pavement Rehabilitation Program for the bid amount of \$3,042,307 plus a twenty (20%) percent contingency of \$608,462 for a total authorized expenditure of \$3,650,769; authorize the City Manager to execute said contract; approve and authorize the City Manager to execute a Cooperative Agreement with the City of Rancho Cucamonga; and authorize the City Manager, or designee, to execute related documents necessary to implement the 2012 Pavement Rehabilitation Program for the affected sites and file a notice of completion at the conclusion of all construction activities related to the project.

7. AMENDMENT TO THE COOPERATIVE AGREEMENT WITH SAN BERNARDINO ASSOCIATED GOVERNMENTS (SANBAG) FOR THE NORTH MILLIKEN AVENUE GRADE SEPARATION PROJECT/SAN BERNARDINO ASSOCIATED GOVERNMENTS

That the City Council approve and authorize the City Manager to execute Amendment No. 2 to the Cooperative Agreement (on file with the Records Management Department) with SANBAG for the North Milliken Avenue Grade Separation Project.

8. COMMON USE AGREEMENTS WITH SAN BERNARDINO COUNTY FLOOD CONTROL DISTRICT FOR THE OPERATION AND MAINTENANCE OF THE RIVERSIDE AND SULTANA-CYPRESS STORM DRAINS/SAN BERNARDINO COUNTY FLOOD CONTROL DISTRICT

That the City Council approve two Common Use Agreements (on file in the Records Management Department) with San Bernardino County Flood Control District (SBCFCD) for the operation and maintenance of the Riverside and Sultana-Cypress storm drain improvements; and authorize the City Manager to execute said agreements and future amendments to the agreements.

9. AGREEMENT FOR ALIGNMENT OF AND UNDERGROUND SUBSTRUCTURES WITHIN CHINO AVENUE WITH SOUTHERN CALIFORNIA EDISON COMPANY

That the City Council approve and authorize the City Manager to execute an agreement with Southern California Edison Company (SCE) (on file in the Records Management Department) for alignment of and underground substructures within Chino Avenue.

10. APPROVAL OF THE ONE-YEAR ANNUAL ACTION PLAN FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT (“CDBG”), HOME INVESTMENT PARTNERSHIP (“HOME”), THE EMERGENCY SOLUTIONS GRANT (“ESG”) PROGRAM FOR FY 2012-2013 AND THE FIRST SUBSTANTIAL AMENDMENT TO THE ONE-YEAR ANNUAL ACTION PLAN FOR FY 2011-2012

That the City Council:

- (A) Approve the proposed One-Year Action Plan for FY 2012-2013 and the First Substantial Amendment to the One-Year Action Plan for FY 2011-2012 (on file in the Records Management Department);
- (B) Direct staff to prepare and transmit the final documents to the U.S. Department of Housing and Urban Development (“HUD”); and
- (C) Authorize the City Manager, or his designee, to take all actions necessary or desirable to implement the One-Year Action Plan for FY 2012-2013 and the First Substantial Amendment to the One-Year Action Plan for FY 2011-2012.

11. “WATER AWARENESS MONTH” IN THE CITY OF ONTARIO

That the City Council recognize the month of May 2012 as “Water Awareness Month” in the City of Ontario.

12. CONSTRUCTION CONTRACT FOR THE EUCLID AVENUE AND “J” STREET WATER MAIN IMPROVEMENTS/C.P. CONSTRUCTION CO., INC.

That the City Council approve the plans and specifications; reject the non-responsive bid submitted by Norstar Plumbing & Engineering, Inc.; award Contract No. UT1011-01, Euclid Avenue and “J” Street Water Main Improvements to C. P. Construction Co., Inc. of Ontario, California, for a bid amount of \$866,991 plus a 15% contingency of \$130,049 for a total amount of \$997,040; authorize the City Manager to execute said Contract (on file with Records Management Department); and, file a notice of completion at the conclusion of all construction activities related to the project.

13. MAINTENANCE SERVICE AGREEMENT FOR CUSTODIAL MAINTENANCE SERVICES AT VARIOUS CITY LOCATIONS/ABLE BUILDING MAINTENANCE

That the City Council authorize the City Manager to execute a three-year Maintenance Service Agreement (on file in the Records Management Department) for Contract No. MS 1112-10 with Able Building Maintenance of Santa Ana, California, for an annual cost of \$421,349 including a \$9,000 contingency; authorize the addition of future service areas; and the option to extend the agreement for up to two additional years consistent with City Council approved budgets.

14. RECOGNITION OF MAY 13-19, 2012 AS “BLUE RIBBON WEEK” IN THE CITY OF ONTARIO

That the City Council recognize the week of May 13 – 19, 2012 as “Blue Ribbon Week” in the City of Ontario to commemorate law enforcement personnel who have lost their lives in the line of duty and to encourage support for law enforcement throughout the nation.

15. APPROVAL OF ALLOCATION AND SPENDING PLAN FOR THE BUREAU OF JUSTICE ASSISTANCE (BJA) EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT (JAG) PROGRAM FOR FY2012

That the City Council authorize the City Manager to execute all documents necessary to participate in the BJA Edward Byrne Memorial Justice Assistance Grant (JAG) Program; and approve the proposed \$54,506 grant spending plan.

16. MAINTENANCE SERVICE AGREEMENT FOR STREET SWEEPING SERVICES AT VARIOUS CITY LOCATIONS/CLEANSTREET, INC.

That the City Council authorize the City Manager to execute a three-year Maintenance Service Agreement (on file with the Records Management Department) for Contract No. SM 11-12-03 with Cleanstreet, Inc. of Gardena, California, for an annual cost of \$890,174, plus a 5% contingency of \$44,509; authorize the addition of future service areas; and the option to extend the agreement for up to two additional years consistent with City Council approved budgets.

17. MAINTENANCE SERVICE AGREEMENT FOR ASPHALT GRINDING SERVICES AT VARIOUS CITY STREETS/PAVEMENT RECYCLING INC.

That the City Council authorize the City Manager to execute a three-year Maintenance Service Agreement (on file with the Records Management Department) for Contract No. SM 11-12-02 with Pavement Recycling Inc. of Mira Loma, California, for an annual cost of \$148,350; and authorize the addition of future service areas; and the option to extend the agreement for up to two additional years consistent with City Council approved budgets.

PUBLIC HEARINGS

18. AN ORDINANCE AMENDING 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 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)

This item, continued from the April 3 and April 17, 2012 City Council meetings, is continued to the May 15, 2012 City Council meeting beginning at 6:30 p.m.

19. A PUBLIC HEARING TO CONSIDER AN AMENDMENT TO THE POLICY PLAN (GENERAL PLAN) COMPONENT OF THE ONTARIO PLAN (FILE NO. PGPA09-001) TO REVISE THE HAMNER/SR-60 MIXED USE AREA TO INCLUDE A RESIDENTIAL LAND USE (20.0-30.0 DWELLING UNITS PER ACRE), A ZONE CHANGE (FILE NO. PZC09-002) TO REZONE APPROXIMATELY 20-ACRES OF LAND FROM R1 (SINGLE-FAMILY RESIDENTIAL) TO SPECIFIC PLAN, AND THE ADOPTION OF TUSCANA VILLAGE SPECIFIC PLAN (FILE NO. PSP09-001), TO MASTER PLAN APPROXIMATELY 20-ACRES OF LAND BY ESTABLISHING LAND USE DESIGNATIONS AND DESIGN GUIDELINES FOR THE PROPERTY LOCATED AT THE NORTHWEST CORNER OF RIVERSIDE DRIVE AND MILLIKEN AVENUE

This item, continued from the April 17, 2012 City Council meeting, is continued to the May 15, 2012 City Council meeting beginning at 6:30 p.m.

20. CONSIDERATION OF AN ORDINANCE RELATED TO A DEVELOPMENT AGREEMENT (FILE NO PDA11-001) BETWEEN PANAYIOTIS AND ANDRIANA KATELARI AND THE CITY OF ONTARIO TO ESTABLISH THE TERMS AND CONDITIONS FOR COMMERCIAL AND RESIDENTIAL DEVELOPMENT OF 20 ACRES WITHIN THE TUSCANA VILLAGE SPECIFIC PLAN

This item, continued from the April 17, 2012 City Council meeting, is continued to the May 15, 2012 City Council meeting beginning at 6:30 p.m.

COUNCIL MATTERS

APPOINTMENT TO THE LIBRARY BOARD OF TRUSTEES

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

Agenda Report
May 1, 2012

SECTION:
CONSENT CALENDAR

SUBJECT: MANAGEMENT AGREEMENT FOR THE OPERATION OF THE ONTARIO CONVENTION CENTER

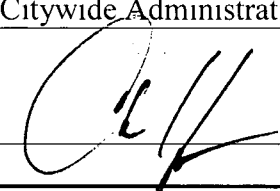
RECOMMENDATION: That the City Council approve and authorize the City Manager to execute a five-year Management Agreement (on file in the Records Management Department) with SMG, of West Conshohocken, Pennsylvania, for the management and operation of the Ontario Convention Center as well as promotion of the City through the visitors and conventions bureau; and authorize the extension of the agreement for up to two years at the City's sole discretion.

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
Operate in a Businesslike Manner
Encourage, Provide or Support Enhanced Recreational, Educational, Cultural and Healthy City Programs, Policies and Activities

FISCAL IMPACT: The continuing operation of the Ontario Convention Center (OCC) provides economic benefit to the City and surrounding area through events, conventions, and shows; bookings of hotel rooms; parking tax revenues; and the associated impacts as attendees spend at local hotels, restaurants and shops. Along with standard operational benchmarks based upon financial performance, SMG's annual evaluation will now include consideration of hotel room night bookings generated. SMG will also provide an investment of \$250,000 for capital improvements at OCC; and the company will be a primary sponsor of the annual State of the City in an amount not less than \$25,000 per year.

BACKGROUND: The City retained SMG in 1999 to operate, manage, market and promote the OCC. The original management agreement expired in 2005. A successor agreement was approved by the City Council extending SMG's management of the facility through June 30, 2010. In early 2010, the City commissioned a study to evaluate SMG's performance as well as analyze the Convention Center's operations relative to similarly sized facilities throughout the country. As a result of the study, the City Council approved an extension of the SMG management agreement (to end on June 30, 2012) and

STAFF MEMBER PRESENTING: Chris Hughes, City Manager

Prepared by: Al Boling
Department: Citywide Administration
City Manager Approval: 

Submitted to Council/O.H.A. 05/01/2012
Approved: _____
Continued to: _____
Denied: _____

3

included a \$100,000 overall cost reduction during the two-year period. In December 2011, the City Council directed staff to negotiate a new contract with SMG. The recommended management agreement is the result of those negotiations.

The five-year management agreement provides for SMG's operation of the OCC through June 30, 2017 and gives the City an option to extend the agreement for up to two additional years (through June 30, 2019). Under the contract terms, SMG will provide an immediate investment of \$250,000 for capital improvements at OCC; and SMG will be a primary sponsor of the annual State of the City event. Additionally, SMG's performance will be evaluated on not only financial benchmarks but also on the generation of hotel room night bookings citywide since there is a direct correlation between the size and types of convention center events and the reservation of hotel rooms.

The terms and conditions, as well as the 2011 commissioned study of SMG's performance, have been presented by the Council sub-committee on OCC operations. Staff recommends the City Council approve the recommended management agreement.

CITY OF ONTARIO

Agenda Report
May 1, 2012

SECTION:
CONSENT CALENDAR

SUBJECT: MEMORANDA OF UNDERSTANDING BETWEEN THE CITY OF ONTARIO AND THE ONTARIO POLICE OFFICERS ASSOCIATION; AND THE CITY OF ONTARIO AND THE ONTARIO POLICE MANAGEMENT GROUP FOR CHANGES IN TERMS AND CONDITIONS OF EMPLOYMENT DURING THE PERIOD OF JULY 1, 2012 THROUGH JUNE 30, 2014

RECOMMENDATION: That the City Council approve and authorize the City Manager to execute two-year Memoranda of Understanding (MOU) regarding wages, hours, and other terms and conditions of employment for employees represented by the Ontario Police Officers Association (OPOA) and the Ontario Police Management Group (OPMG).

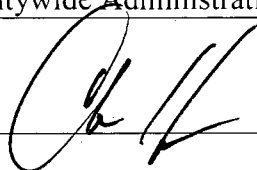
COUNCIL GOALS: Develop Strategies and Take Actions, Including Regaining Local Control of the Ontario International Airport, to Minimize the Negative Impacts of the Global Financial Downturn on Ontario's Economy and the City's Fiscal Health
Maintain the Current High Level of Public Safety
Operate in a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

FISCAL IMPACT: The recommended MOUs contain certain provisions which will result in projected cost savings during the two-year term as well as substantial future savings to be realized through the tiering of retirement and retiree medical benefits. During the term of the MOUs both labor groups agreed to forgo general salary increases; and the restructuring of retiree medical benefits alleviates the City's growing future liability. Offsetting a portion of the long-term savings are the costs associated with adjustments to benefits such as disability, life and accidental death and dismemberment insurances; and deferred compensation. The net savings to be realized by the City will be dependent upon a number of factors including, but not limited to, employee turnover, inflationary factors for health costs and insurance costs, as well as actuarial assumptions and corresponding actual investment returns achieved related to CalPERS retirement benefits.

STAFF MEMBER PRESENTING: Chris Hughes, City Manager

Prepared by: Chris Hughes
Department: Citywide Administration

City Manager
Approval: _____



Submitted to Council/O.H.A. 05/01/2012

Approved: _____

Continued to: _____

Denied: _____

4

BACKGROUND The current MOUs with the OPOA and OPMG expire June 30 2012 The City recently completed negotiations with the OPOA and OPMG for proposed successor MOUs the terms of which are July 1 2012 through June 30 2014

Containing future retirement costs while maintaining competitive employee benefit packages was a focal point in the negotiations with the OPOA and OPMG In a collaborative effort both labor groups agreed to reductions in benefits for new employees The reductions for new employees include modifying the retirement formula to 3% at 55 and converting retiree medical benefits to the minimum required CalPERS Health contribution during retirement The City will also establish an individual health reimbursement account for each employee and contribute \$750 per month during active employment A health reimbursement account is an employer funded account that can be used for qualified medical expenses including medical insurance premiums during retirement with account contributions and distributions for qualified medical expenses being tax free These reforms are projected to result in long term pensions and retiree medical costs savings Implementation will be effective July 1 2012 or soon thereafter as the City completes the required transition procedures

Key terms of the two proposed agreements effective July 1 2012 include associating the medical contribution for active employees to the Southern California premium structure applicable to the employees home address allowing the optional conversion of up to 60 hours of sick leave to vacation leave annually subject to eligibility criteria modifying the current vacation/compensatory leave conversion program to provide an additional conversion opportunity each year and increasing by 40 hours the amount that can be converted annually and increasing both life and AD&D insurance policies by \$100 000 for OPOA and \$50 000 for OPMG

The proposed MOUs also include adjusting the vacation leave accrual rates For OPOA the accrual rate will increase by 8 hours per year at 15 years of service and by an additional 8 hours per year at 16 years of service For OPMG the accrual rate will increase by 16 hours per year at 21 years of service Additionally the proposed MOU with OPMG will permit Police Captains assigned on call duty to receive compensation consistent with current practices for Police Sergeants and Police Lieutenants Effective the pay period including January 1 2013 the City's deferred compensation contribution increases by \$25 per pay period for OPOA and \$50 per month for OPMG

CITY OF ONTARIO

Agenda Report
May 1, 2012

SECTION:
CONSENT CALENDAR

SUBJECT: MEMORANDA OF UNDERSTANDING BETWEEN THE CITY OF ONTARIO AND THE ONTARIO PROFESSIONAL FIREFIGHTERS ASSOCIATION, LOCAL 1430 IAFF; AND THE CITY OF ONTARIO AND THE ONTARIO FIRE MANAGEMENT GROUP FOR CHANGES IN TERMS AND CONDITIONS OF EMPLOYMENT DURING THE PERIOD OF JULY 1, 2012 THROUGH JUNE 30, 2014

RECOMMENDATION: That the City Council approve and authorize the City Manager to execute two-year Memoranda of Understanding (MOU) regarding wages, hours, and other terms and conditions of employment for employees represented by the Ontario Professional Firefighters Association (OFFA) and the Ontario Fire Management Group (OFMG).

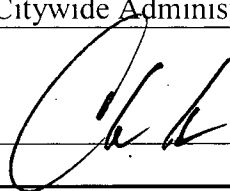
COUNCIL GOALS: Develop Strategies and Take Actions, Including Regaining Local Control of the Ontario International Airport, to Minimize the Negative Impacts of the Global Financial Downturn on Ontario's Economy and the City's Fiscal Health
Maintain the Current High Level of Public Safety
Operate in a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

FISCAL IMPACT: The recommended MOUs contain certain provisions which will result in projected cost savings during the two-year term as well as substantial future savings to be realized through the tiering of retirement and retiree medical benefits. During the term of the MOUs both labor groups agreed to forgo general salary increases; and the restructuring of retiree medical benefits alleviates the City's growing future liability. Offsetting a portion of the long-term savings are the costs associated with adjustments to benefits such as disability, life and accidental death and dismemberment insurances; and deferred compensation. The net savings to be realized by the City will be dependent upon a number of factors including, but not limited to, employee turnover, inflationary factors for health costs and insurance costs, as well as actuarial assumptions and corresponding actual investment returns achieved related to CalPERS retirement benefits.

STAFF MEMBER PRESENTING: Chris Hughes, City Manager

Prepared by: Chris Hughes
Department: Citywide Administration

City Manager
Approval: _____



Submitted to Council/O.H.A. _____

Approved: _____

Continued to: _____

Denied: _____

05/01/2012

5

BACKGROUND: The current MOUs with the OFFA and OFMG expire June 30, 2012. The City recently completed negotiations with the OFFA and OFMG for proposed successor MOUs the terms of which are July 1, 2012 through June 30, 2014.

Containing future retirement costs while maintaining competitive employee benefit packages was a focal point in the negotiations with the OFFA and OFMG. In a collaborative effort, both labor groups agreed to reductions in benefits for new employees. The reductions for new employees include modifying the retirement formula to 3% at 55 and converting retiree medical benefits to the minimum required CalPERS Health contribution during retirement. The City will also establish an individual health reimbursement account for each employee and contribute \$750 per month during active employment. A health reimbursement account is an employer-funded account that can be used for qualified medical expenses, including medical insurance premiums during retirement, with account contributions and distributions for qualified medical expenses being tax-free. These reforms are projected to result in long-term pensions and retiree medical costs savings. Implementation will be effective July 1, 2012 or soon thereafter as the City completes the required transition procedures.

Key terms of the proposed agreement with OFFA effective July 1, 2012 include: Fire Captains assigned to work 40-hour staff positions to receive an additional 5% of base salary; payment of members' current long-term disability premium (\$19.50/month); increasing life and accidental death and dismemberment (AD&D) insurance policies by \$105,000 for basic life and \$97,000 for AD&D; and increasing the City's deferred compensation contribution amount by \$50 per month. Effective the pay period including January 1, 2013, the City's deferred compensation contribution increases by \$100 per month. The parties also agreed to reopen negotiations related to salary only in July 2013. Some operational changes agreed to include: adjusting contract language to match the City's practices regarding the number of persons assigned to special teams; and granting eligible probationary employees the same paramedic pay as regular employees. Additionally, clarifying language will be included in the MOU to provide for payment of the greater of 5% out-of-class pay or 12.72% of Step 5 of the Fire Engineer classification to those employees who work in higher level classifications and are simultaneously required to perform paramedic functions.

For OFMG, key terms of the proposed agreement effective July 1, 2012 include: allowing the optional conversion of up to 500 hours of sick leave to annual leave upon promotion to OFMG; increasing the annual leave accrual table by one working day; adjusting the annual leave accrual limit to 1,500 for shift employees; payment of members' current long-term disability premium (\$19.50/month); and increasing both life and AD&D insurance policies by \$100,000. Effective the pay period including January 1, 2013, the City's deferred compensation contribution increases to \$325 per month for Fire Battalion Chiefs and \$350 per month for Senior/Deputy Fire Chiefs.

CITY OF ONTARIO

Agenda Report
May 1, 2012

**SECTION:
CONSENT CALENDAR**

**SUBJECT: CONSTRUCTION CONTRACT FOR 2012 PAVEMENT REHABILITATION
AND A COOPERATIVE AGREEMENT WITH THE CITY OF RANCHO
CUCAMONGA**

RECOMMENDATION: That the City Council approve the plans and specifications and award a construction contract (on file in the Records Management Department) to All American Asphalt of Corona, California, for the 2012 Pavement Rehabilitation Program for the bid amount of \$3,042,307 plus a twenty (20%) percent contingency of \$608,462 for a total authorized expenditure of \$3,650,769; authorize the City Manager to execute said contract; approve and authorize the City Manager to execute a Cooperative Agreement with the City of Rancho Cucamonga; and authorize the City Manager, or designee, to execute related documents necessary to implement the 2012 Pavement Rehabilitation Program for the affected sites and file a notice 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
Invest in the City's Infrastructure (Water, Streets, Sewers, Parks, Storm Drains and Public Facilities)

FISCAL IMPACT: The current Fiscal Year 2011-12 budget includes appropriations of \$2,190,000 from Measure I funds and \$2,575,000 from Gas Tax funds for a total of \$4,765,000 related to the 2012 Pavement Rehabilitation Program. All American Asphalt submitted the lowest bid of \$3,042,307. A 20% contingency is recommended due to the extremely poor pavement conditions of Mission Boulevard and the potential for additional repair work to complete the project. A portion of the project limits extends into the City of Rancho Cucamonga along Fourth Street; and Rancho Cucamonga has agreed to reimburse their portion of the project cost with is estimated to be \$325,920 including 5% administrative cost.

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

Prepared by: Bill Braun
Department: Engineering

City Manager
Approval: 

Submitted to Council/O.H.A. 05/01/2012

Approved: _____

Continued to: _____

Denied: _____

6

BACKGROUND: The scope of services for the 2012 Pavement Rehabilitation Program includes cold planing, removal and replacement of damaged pavement, construction of Asphalt Rubber Hot Mix (ARHM) overlay, construction of ADA compliant access ramps, and placement of traffic striping, pavement markings, and raised markers.

The project locations include: rehabilitation of Jurupa Avenue from Day Creek Channel to Vintage Avenue (Project No. ST1102); Philadelphia Street from Grove Avenue to Campus Avenue (Project No. ST1103); Airport Drive from Wineville Avenue to Milliken Avenue (Project No. ST1104); Fourth Street from Ontario Mills Drive to Wineville Avenue (Project No. ST1105); Milliken Avenue from Francis Street to Jurupa Street (Project No. ST1106); Mission Boulevard from Haven Avenue to Vineyard Avenue (Project No. ST1107); Holt Boulevard from Cucamonga Avenue to Vineyard Avenue (Project No. ST1108); and Wells Fargo Parking Lot Improvements at the northeast corner of Euclid Avenue and C Street. Location maps are attached for reference, Sheets 1 through 8. This project will extend the lifespan of the streets by 10 to 20 years. It is anticipated that construction will start in June 2012 and be completed by October 2012.

The City of Rancho Cucamonga has agreed to enter into a Cooperative Agreement to reimburse Ontario for the pavement rehabilitation work on the Rancho Cucamonga portion on the north side of Fourth Street between Ontario Mills Drive and Wineville Avenue. The estimated reimbursement amount is \$325,920 which includes Ontario's administrative cost of 5%.

In May 2012, the City solicited bids for this project; and eight (8) bids were received. The bid results are:

COMPANY	LOCATION	AMOUNT
All American Asphalt	Corona, CA	\$ 3,042,307
Hardy & Harper, Inc	Santa Ana, CA	\$ 3,196,000
Silvia Construction, Inc.	Rancho Cucamonga, CA	\$ 3,543,773
R.J. Noble Company	Orange, CA	\$ 3,643,944
E.B.S. General Engineering	Corona, CA	\$ 3,644,000
PALP Inc – Excel Paving	Long Beach, CA	\$ 3,815,328
Sully Miller	Brea, CA	\$ 3,869,887
Gentry Brothers	Irwindale, CA	\$ 4,211,375

All American Asphalt submitted the lowest responsive bid. All American Asphalt has previously performed similar work for the City of Ontario in a satisfactory manner.

CITY OF ONTARIO

Agenda Report
May 1, 2012

SECTION:
CONSENT CALENDAR

SUBJECT: AMENDMENT TO THE COOPERATIVE AGREEMENT WITH SAN BERNARDINO ASSOCIATED GOVERNMENTS (SANBAG) FOR THE NORTH MILLIKEN AVENUE GRADE SEPARATION PROJECT

RECOMMENDATION: That the City Council approve and authorize the City Manager to execute Amendment No. 2 to the Cooperative Agreement (on file with the Records Management Department) with SANBAG for the North Milliken Avenue Grade Separation 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
Pursue City's Goals and Objectives by Working with Other Governmental Agencies
Invest in the City's Infrastructure (Water, Streets, Parks, Storm Drains and Public Facilities)

FISCAL IMPACT: This amendment does not affect the total project costs or change the City's obligation to provide funding equal to 20% of the project costs, or \$6,241,901. The amendment postpones the City's obligation to pay its 20% share and applies the amount to be paid to the future construction costs of the South Archibald Avenue and Vineyard Avenue Grade Separation projects. The City's obligation will be split equally between the two future projects and will be due and payable when construction of these projects begins.

BACKGROUND: The original construction funding for the North Milliken Avenue Grade Separation was to come from Traffic Congestion Relief Program (TCRP) and Trade Corridors Improvement Funds (TCIF) funds. The California Public Utilities Commission notified the City that these funds will not be available until Fiscal Year 2016-17. To construct this critical transportation project in a timely manner, SANBAG agreed to replace the unobligated TCRP and TCIF funds with State Transportation Improvement Program/Regional Improvement Program (STIP/RIP) funds. SANBAG also agreed to administer the bidding, award and construction of the project. Construction commenced in April 2011.

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

Prepared by: Cindy Hackett
Department: Engineering Department

City Manager
Approval: 

Submitted to Council/O.H.A. 05/01/2012

Approved: _____

Continued to: _____

Denied: _____

7

SANBAG was notified by the California Transportation Commission (CTC) that the STIP/RIP funds were to be treated as a grant and any unused funds would revert back to the state. In order to maximize the use of the STIP/RIP funds for the North Milliken Avenue project, staff negotiated with SANBAG to have the City's share that was to be used for Milliken Avenue project be applied towards future grade separation projects. This credit in the amount of \$6,241,910 will be divided equally between two future grade separation projects, South Archibald Avenue and Vineyard Avenue, and will be applied in addition to the City's 20% share at time of construction.

CITY OF ONTARIO

Agenda Report
May 1, 2012

SECTION:
CONSENT CALENDAR

SUBJECT: COMMON USE AGREEMENTS WITH SAN BERNARDINO COUNTY FLOOD CONTROL DISTRICT FOR THE OPERATION AND MAINTENANCE OF THE RIVERSIDE AND SULTANA-CYPRESS STORM DRAINS

RECOMMENDATION: That the City Council approve two Common Use Agreements (on file in the Records Management Department) with San Bernardino County Flood Control District (SBCFCD) for the operation and maintenance of the Riverside and Sultana-Cypress storm drain improvements; and authorize the City Manager to execute said agreements and future amendments to the agreements.

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 maintenance cost for the storm drain main line will be the responsibility of the SBCFCD. The City will only be responsible for the maintenance costs associated with the catch basins which will be covered through the recurring baseline maintenance budget.

BACKGROUND: The City of Ontario is a member of Zone 1 Flood Group of the SBCFCD (there are 6 Zones Countywide). As part of the Zone 1 financial obligation to the City of Ontario, the SBCFCD provided funding to construct two regional master planned storm drain systems to minimize the continued flooding on Riverside Drive, Sultana Avenue, Cypress Avenue and the dairy areas. The SBCFCD has completed the construction of the Riverside storm drain as well as the Sultana-Cypress storm drain systems and has finalized all mutual issues pertaining to the two projects. Both storm drain systems have been inspected and accepted by the City and are currently operational.

The two Common Use Agreements have similar operation and maintenance language and define clearly the City and SBCFCD obligations and responsibilities. The agreements have been reviewed and approved by the City Attorney.

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

Prepared by: Nabil Kassih
Department: Engineering Department

City Manager
Approval: 

Submitted to Council/O.H.A. 05/01/2012
Approved: _____
Continued to: _____
Denied: _____

8

CITY OF ONTARIO

Agenda Report
May 1, 2012

SECTION:
CONSENT CALENDAR

SUBJECT: AGREEMENT FOR ALIGNMENT OF AND UNDERGROUND SUBSTRUCTURES WITHIN CHINO AVENUE WITH SOUTHERN CALIFORNIA EDISON COMPANY

RECOMMENDATION: That the City Council approve and authorize the City Manager to execute an agreement with Southern California Edison Company (SCE) (on file in the Records Management Department) for alignment of and underground substructures within Chino 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
Focus Resources in Ontario's Commercial and Residential Neighborhoods
Ensure the Development of a Well Planned, Balanced, and Self-Sustaining Community in the New Model Colony

FISCAL IMPACT: Costs associated with the right of way acquisition and the infrastructure improvements required by this agreement are included in the NMC Development Impact Fees (DIF) Program.

BACKGROUND: A portion of the future ultimate Chino Avenue street improvements between Turner Avenue and Mill Creek Avenue, as identified in The Ontario Plan, will encroach into SCE's right of way. The purpose of this agreement is to establish the terms and conditions for the City to construct that portion of Chino Avenue within the SCE easement.

As part of the agreement, the City will pay SCE the full and fair market value for the requested easement prior to SCE granting the easement. The City is also required to pay for the cost of the design and installation of the 66kv transmission underground duct bank. When development in the New Model Colony necessitates the construction of the subject portion of Chino Avenue, the City will condition the future developer to construct the ultimate Chino Avenue street improvements and to pay SCE for the easement and for the design and installation of the 66kv transmission underground duct bank. Costs

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

Prepared by: Mike Eskander, P.E.
Department: Engineering Department

City Manager
Approval: _____



Submitted to Council/O.H.A. 05/01/2012

Approved: _____

Continued to: _____

Denied: _____

9

associated with said improvements, easement and underground duct bank will be eligible for DIF reimbursement. The agreement has been reviewed and approved by the City Attorney as to form.

CITY OF ONTARIO

Agenda Report
May 1, 2012

SECTION:
CONSENT CALENDAR

SUBJECT: APPROVAL OF THE ONE-YEAR ANNUAL ACTION PLAN FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT ("CDBG"), HOME INVESTMENT PARTNERSHIP ("HOME"), THE EMERGENCY SOLUTIONS GRANT ("ESG") PROGRAM FOR FY. 2012-2013 AND THE FIRST SUBSTANTIAL AMENDMENT TO THE ONE-YEAR ANNUAL ACTION PLAN FOR FY 2011-2012

RECOMMENDATION: That the City Council:

- (A) Approve the proposed One-Year Action Plan for FY 2012-2013 and the First Substantial Amendment to the One-Year Action Plan for FY 2011-2012 (on file in the Records Management Department);
- (B) Direct staff to prepare and transmit the final documents to the U.S. Department of Housing and Urban Development ("HUD"); and
- (C) Authorize the City Manager, or his designee, to take all actions necessary or desirable to implement the One-Year Action Plan for FY 2012-2013 and the First Substantial Amendment to the One-Year Action Plan for FY 2011-2012.

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

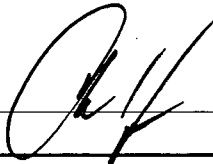
FISCAL IMPACT: In the next fiscal year, the City anticipates receiving approximately \$1,731,696 in CDBG funds, \$453,191 in HOME funds, and \$189,104 in ESG funds from HUD. The City also anticipates receiving \$59,709, for the FY 2011-2012 second allocation of ESG funds, during FY 2012-2013 from HUD.

STAFF MEMBER PRESENTING: Brent Schultz, Housing & Neighborhood Revitalization Director

Prepared by: Jamie Richardson

Department: Housing

City Manager

Approval: 

Submitted to Council/O.H.A. 05/01/2012

Approved: _____

Continued to: _____

Denied: _____

10

BACKGROUND: HUD requires that cities prepare and adopt an annual Action Plan for each year of the Five-Year Consolidated Plan which provides for the expenditure of CDBG, HOME, and ESG funds. The FY 2012-2013 Action Plan is the third plan prepared as part of the FY 2010-2014 Five-Year Consolidated Plan.

The City of Ontario conducted a community forum/public meeting on March 22, 2012 to solicit public participation in the development of the One-Year Action Plan. On March 30, 2012 and April 20, 2012, the City of Ontario advertised the availability of the draft Action Plan for public review. The draft One-Year Action Plan was available for public review from March 30, 2012 to April 30, 2012.

The City of Ontario's CDBG, HOME, and ESG allocations from HUD are anticipated to decrease by approximately 27% for FY 2012-2013 as compared to last year's allocation as illustrated below:

	FY 11-12	FY 12-13	Difference
CDBG	\$2,183,711	\$1,731,696	(\$452,015)
HOME	\$896,421	\$453,191	(\$443,230)
Estimated HOME Program Income	\$50,000	\$50,000	\$0
ESG	\$165,858	\$189,104	\$23,246
TOTAL	\$3,295,990	\$2,423,991	(\$871,999)

FY 2012-2013 One-Year Action Plan

The One-Year Action Plan allocates funds to programs designed to support strategies identified in the Consolidated Plan. The detailed FY 2012-2013 funding allocations are provided in the attached ("Exhibit A").

For FY 2012-2013, all currently contracted non-profit public service providers are recommended for renewal.

First Substantial Amendment to the FY 2011-2012 One-Year Action Plan

The Full-Year Continuing Appropriations Act, 2011 (Public Law 112-10, Division B) appropriated at least \$225 million for the Emergency Solutions Grants programs for FY 2011-2012. Accordingly, HUD used its discretion to allocate \$250 million in FY 2011 funds for the ESG program. However, because the program regulations were still being revised when this funding became available, HUD chose to release the funding in a two-stage allocation process. The first allocation was made available immediately, to avoid a lapse in funding for existing Emergency Shelter Grant activities.

In order to receive the second allocation of ESG funds for the FY 2011-2012, the City of Ontario is required to submit, for HUD's approval, the substantial amendment to the FY 2011-2012 One-Year Action Plan.

Recommended Emergency Solution Grant funding for FY 2011-2012 is listed on the following page:

Program	Agency	FY 11-12
Mercy House Center Ontario (FY11-12 second allocation of Emergency Solutions Grant to be received in FY 12-13)	Mercy House	\$47,270
Administration (7.5% of ESG allocation)	Mercy House	\$12,439
TOTAL		\$59,709

Subsequent to City Council approval, the FY 2012-2013 One-Year Action Plan and the First Substantial Amendment to the FY 2011-2012 One-Year Action Plan will be submitted to the U.S. Department of Housing and Urban Development prior to the May 15, 2012 deadline.

CITY OF ONTARIO

Agenda Report
May 1, 2012

SECTION:
CONSENT CALENDAR

SUBJECT: "WATER AWARENESS MONTH" IN THE CITY OF ONTARIO

RECOMMENDATION: That the City Council recognize the month of May 2012 as "Water Awareness Month" in the City of Ontario.

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: None.

BACKGROUND: For over twenty years, cities, counties, local water agencies, State agencies and organizations throughout California have recognized May as "Water Awareness Month." The City of Ontario supports these efforts in order to raise public awareness of the need for safe and reliable drinking water supplies for public health, fire protection, economic development, and the overall quality of life.

Although California currently has above-average reservoir storage thanks to captured runoff from last winter's strong Sierra snowpack, the Department of Water Resources reports that the water content in California's mountain snowpack this year is only about 55% of normal for this time of year.

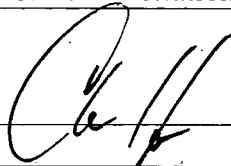
The City Council supports many initiatives and programs to improve water use efficiency in the City and the region:

- Rebates are currently available to Ontario residents for high-efficiency clothes washers, weather based irrigation controllers, and irrigation spray heads;
- Residents and businesses can get free landscape evaluations through a regional program offered by the Chino Basin Water Conservation District;

STAFF MEMBER PRESENTING: Scott Burton, Utilities General Manager

Prepared by: Michael Sigsbee
Department: MU/Administration

City Manager
Approval: _____



Submitted to Council/O.H.A. _____

Approved: _____

Continued to: _____

Denied: _____

05/01/2012

11

- The FreeSprinklerNozzles.com program, beginning August 1, will provide residents and businesses an opportunity to receive free high-efficiency irrigation sprayheads; and
- Beautiful water-efficient landscaping is being installed at many City facilities and street medians to replace higher water consuming landscaping such as turf grass.

Water is a precious resource, and we encourage the public to always use water wisely.

CITY OF ONTARIO

Agenda Report
May 1, 2012

SECTION:
CONSENT CALENDAR

SUBJECT: CONSTRUCTION CONTRACT FOR THE EUCLID AVENUE AND "J" STREET WATER MAIN IMPROVEMENTS

RECOMMENDATION: That the City Council approve the plans and specifications; reject the non-responsive bid submitted by Norstar Plumbing & Engineering, Inc.; award Contract No. UT1011-01, Euclid Avenue and "J" Street Water Main Improvements to C. P. Construction Co., Inc. of Ontario, California, for a bid amount of \$866,991 plus a 15% contingency of \$130,049 for a total amount of \$997,040; authorize the City Manager to execute said Contract (on file with Records Management Department); and, file a notice 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
Invest in the City's Infrastructure (Water, Sewers, Parks, Storm Drains and Public Facilities)

FISCAL IMPACT: The Fiscal Year 2011-2012 Capital Improvement Program includes appropriations from the Water Capital Fund for the construction of Euclid Avenue and "J" Street Water Main Improvements. The total recommended contract authorization of \$997,040 includes 15% contingency (\$130,049). There is no impact to the General Fund.

BACKGROUND: The City's potable water system currently includes approximately 38 miles of 4-inch diameter and smaller pipes and approximately five (5) miles of these pipes are over 60 years old. The Water Master Plan identifies the need to replace these undersized and aging pipelines to maintain the reliability of water service to the community and to improve service pressure fire flow availability. Replacement of these pipelines is included in the City's ongoing water pipeline replacement program.

The Euclid Avenue and "J" Street Water Main Project consists of approximately 4,200 lineal feet of new 8-inch to 18-inch diameter pipeline and new water service connections to replace existing 2-inch and 4-inch diameter pipelines and 54 existing water services. This project is located in Euclid Avenue from

STAFF MEMBER PRESENTING: Scott Burton, Utilities General Manager

Prepared by: Dennis Mejia
Department: MU/Engineering

City Manager
Approval: 

Submitted to Council/O.H.A. 05/01/2012

Approved: _____

Continued to: _____

Denied: _____

12

“I” Street to Fifth Street (Caltrans’ right of way) and in “J” Street from Laurel Avenue to Euclid Avenue (see attached location map). Plans and specifications for the project were prepared by City staff.

On March 8, 2012, twelve (12) bids were received for the Euclid Avenue & “J” Street Water Main Improvements Project. The lowest responsive five bids are summarized below:

<u>Bidder</u>	<u>Location</u>	<u>Amount</u>
C. P. Construction Co., Inc.	Ontario, CA	\$866,991
T. A. Rivard, Inc.	Yucaipa, CA	\$900,733
Environmental Assessment & Remediation Management, Inc.	Riverside, CA	\$903,170
J. A. Salazar Construction & Supply Corp.	Placentia, CA	\$935,246

When bids were evaluated by staff, Norstar Plumbing & Engineering’s bid was determined to be non-responsive due to an incomplete bid submittal. The second lowest bid from C. P. Construction Co., Inc. was deemed to be responsive.

Staff recommends awarding the contract to C. P. Construction Co., Inc. of Ontario, California, since they have previously performed this type work in the past, and have the expertise and ability to perform the work in a timely manner.

CITY OF ONTARIO

Agenda Report
May 1, 2012

SECTION:
CONSENT CALENDAR

SUBJECT: MAINTENANCE SERVICE AGREEMENT FOR CUSTODIAL MAINTENANCE SERVICES AT VARIOUS CITY LOCATIONS

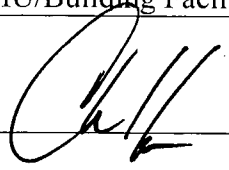
RECOMMENDATION: That the City Council authorize the City Manager to execute a three-year Maintenance Service Agreement (on file in the Records Management Department) for Contract No. MS 1112-10 with Able Building Maintenance of Santa Ana, California, for an annual cost of \$421,349 including a \$9,000 contingency; authorize the addition of future service areas; and the option to extend the agreement for up to two additional years consistent with City Council approved budgets.

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 annual cost of the proposed Maintenance Service Agreement is \$412,349 plus contingency of \$9,000 for urgency services for a total annual amount of \$421,349 for each of the first three years beginning in Fiscal Year 2012-13, which represents a six percent (6%) savings as compared to the current pricing for contract custodial maintenance services. The cost for custodial services will be funded from the General Fund, and if approved will be included in the Fiscal Year 2012-13 proposed operating budget.

At the City's discretion, two additional one-year extensions may be exercised, and pricing for the optional years will be negotiated with a cap on any increase not to exceed three percent (3%) per year. Future contracting actions will be commensurate with City Council authorized work programs and budgets. Contracting for the multi-year period will allow the City to: limit the potential for yearly increases to the bid amounts; avoid the costs of re-bidding the contract annually; provide service continuity and project future costs.

STAFF MEMBER PRESENTING: Scott Burton, Utilities General Manager

Prepared by: Robert Gluck
Department: MU/Building Facilities
City Manager Approval: 

Submitted to Council/O.H.A.

Approved: _____

Continued to: _____

Denied: _____

05/01/2012

13

BACKGROUND: This Maintenance Service Agreement will provide for regularly scheduled custodial maintenance services at twelve (12) City facilities totaling 376,308 square feet, and includes quarterly window cleaning at City Hall.

FULL CUSTODIAL SERVICE AREAS

Anthony Munoz Community Center	Fire Station No. 1
Armstrong Community Center	Ovitt Family Community Library
Code Enforcement/Housing	Police Department
Colony High School Library	Police Department Substation (Ontario Mills)
De Anza Community Center	Senior Community Center
Dorothy Quesada Community Center	Westwind Community Center

In March 2012, the City solicited proposals for Custodial Maintenance Services. Proposals from the following vendors were received.

<u>Vendor</u>	<u>Location</u>
Able Building Maintenance	Santa Ana, CA
Merchants Building Maintenance	Pomona, CA
ABM Janitorial Services	Irvine, CA

Able Building Maintenance submitted a proposal that met all the specifications required of the Maintenance Service Agreement. Staff recommends award to Able Building Maintenance, based on the quality of proposal, credentials, pricing, references, and ability to respond to urgencies in a timely manner.

CITY OF ONTARIO

Agenda Report
May 1, 2012

**SECTION:
CONSENT CALENDAR**

SUBJECT: RECOGNITION OF MAY 13-19, 2012 AS "BLUE RIBBON WEEK" IN THE CITY OF ONTARIO

RECOMMENDATION: That the City Council recognize the week of May 13 – 19, 2012 as "Blue Ribbon Week" in the City of Ontario to commemorate law enforcement personnel who have lost their lives in the line of duty and to encourage support for law enforcement throughout the nation.

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

FISCAL IMPACT: None.

BACKGROUND: "Blue Ribbon Week" was established in 1993 to encourage support of and confidence in law enforcement from the general public. Residents can show their support for law enforcement personnel by wearing a blue ribbon during the week. Such visible support is a tremendous morale boost for all the dedicated men and women who wear a badge and who serve the public so selflessly. This is also a time to reflect on the ultimate sacrifice made each year by the men and women who have lost their lives defending the safety and security of our nation.

Residents wishing to purchase blue ribbons may do so for \$1.50 at the front desk of the Ontario Police Department located at 2500 South Archibald Avenue. Proceeds from the sale of the ribbons will go to Law Enforcement of Ontario (L.E.O.), a non-profit organization that assists economically challenged families with school-age children.

STAFF MEMBER PRESENTING: Barbara White, Crime Prevention Specialist

Prepared by: Barbara White
Department: Police

City Manager
Approval: 

Submitted to Council/O.H.A. 05/01/2012

Approved: _____

Continued to: _____

Denied: _____

CITY OF ONTARIO

Agenda Report
May 1, 2012

SECTION:
CONSENT CALENDAR

SUBJECT: APPROVAL OF ALLOCATION AND SPENDING PLAN FOR THE BUREAU OF JUSTICE ASSISTANCE (BJA) EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT (JAG) PROGRAM FOR FY2012

RECOMMENDATION: That the City Council authorize the City Manager to execute all documents necessary to participate in the BJA Edward Byrne Memorial Justice Assistance Grant (JAG) Program; and approve the proposed \$54,506 grant spending plan.

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: Upon approval and receipt of the grant award, a separate Grant Identification Number will be established to record, monitor and report on the financial activities of this grant award. The total grant award is \$57,375, of which 5% (\$2,869) will be assigned to the Law & Justice Group of San Bernardino County for administrative fees, resulting in a net award to the City in the amount of \$54,506. This is a one-time allocation with no local matching funds requirement, and grant expenditures must be completed within the four-year grant period. If approved, the associated revenue and expenditure adjustments will be included in the corresponding quarterly budget report to the City Council.

BACKGROUND: The Bureau of Justice Assistance has announced the availability of grant funds through the Edward Byrne Memorial JAG Program. Ontario has participated in the JAG Program (formerly the Local Law Enforcement Block Grant) since 1997. Grant allocations are predetermined through a formula based on population and crime statistics. Ontario has been allocated \$57,375 for FY 2012-13. Under the JAG legislation, the County of San Bernardino will act as the fiscal agent for disbursement of the funds.

STAFF MEMBER PRESENTING: Eric Hopley, Chief of Police

Prepared by: Donna Bailey
Department: Police

City Manager
Approval:



Submitted to Council/O.H.A.

Approved:

Continued to:

Denied:

05/01/2012

15

Based on current law enforcement operational needs, the Police Department proposes the following grant spending plan:

- Update Department's frontline weapons and training equipment \$54,506

TOTAL	<u>\$54,506</u>
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CITY OF ONTARIO

Agenda Report
May 1, 2012

SECTION:
CONSENT CALENDAR

SUBJECT: MAINTENANCE SERVICE AGREEMENT FOR STREET SWEEPING SERVICES AT VARIOUS CITY LOCATIONS

RECOMMENDATION: That the City Council authorize the City Manager to execute a three-year Maintenance Service Agreement (on file with the Records Management Department) for Contract No. SM 11-12-03 with Cleanstreet, Inc. of Gardena, California, for an annual cost of \$890,174, plus a 5% contingency of \$44,509; authorize the addition of future service areas; and the option to extend the agreement for up to two additional years consistent with City Council approved budgets.

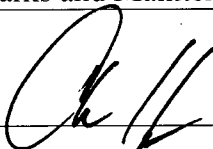
COUNCIL GOALS: Develop Strategies and Take Action, including Regaining Local Control of the Ontario International Airport, to Minimize the Negative Impacts of the Global Financial Downturn on Ontario's Economy and the City's Fiscal Health
Invest in the City's Infrastructure (Water, Streets, Sewers, Parks,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

FISCAL IMPACT: The estimated annual cost of the proposed Street Sweeping Maintenance Service Agreement is \$890,174 plus \$44,509 toward urgency services for a total annual amount of \$934,683 for each of the first three years. The maintenance cost at these locations will be funded by the General Fund and is consistent with the current Fiscal Year 2012-13 budget appropriations.

At the City's discretion, two additional one-year extensions may be exercised with an increase of 3% for the fourth year, and an increase of 3% for the fifth year, respectively. Future contracting actions will be commensurate with City Council authorized work programs and budgets. Contracting for the multi-year period will allow the City to: limit the potential for yearly increases to the bid amounts; avoid the costs of re-bidding the contract annually; provide service continuity and project future costs.

BACKGROUND: In March 2012, the City solicited proposals for citywide street sweeping services. Staff received three proposals that met bid criteria and the standards necessary to perform the work. Base cost proposals ranged from \$890,174 to \$1,332,942 annually. Proposals from the following vendors were received.

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

Prepared by: Dale Adcock
Department: Parks and Maintenance
City Manager Approval: 

Submitted to Council/O.H.A. 05/01/2012
Approved: _____
Continued to: _____
Denied: _____

16

Vendor
CleanStreet, Inc.
Athens Services
Cannon Pacific
R. F. Diskson Co., Inc.

Location
Gardena, CA
City of Industry, CA
San Marcos, CA
Downey, CA

Cleanstreet, Inc. located in Gardena, California, submitted a proposal that met all the required specifications with a base cost, three-year total of \$2,670,522. Based on their proposal, credentials, pricing and favorable references, staff recommends award of a Maintenance Services Agreement to Cleanstreet, Inc.

CITY OF ONTARIO

Agenda Report
May 1, 2012

SECTION: CONSENT CALENDAR

SUBJECT: MAINTENANCE SERVICE AGREEMENT FOR ASPHALT GRINDING SERVICES AT VARIOUS CITY STREETS

RECOMMENDATION: That the City Council authorize the City Manager to execute a three-year Maintenance Service Agreement (on file with the Records Management Department) for Contract No. SM 11-12-02 with Pavement Recycling Inc. of Mira Loma, California, for an annual cost of \$148,350; and authorize the addition of future service areas; and the option to extend the agreement for up to two additional years consistent with City Council approved budgets.

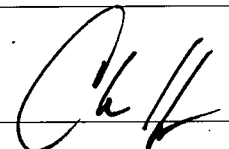
COUNCIL GOALS: Develop Strategies and Take Actions, Including Regaining Local Control of the Ontario International Airport, to Minimize the Negative Impacts of the Global Financial Downturn on Ontario's Economy and the City's Fiscal Health
Invest in the City's Infrastructure (Water, Streets, Sewers,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

FISCAL IMPACT: The estimated annual cost of the proposed Asphalt Grinding Maintenance Service Agreement is \$148,350 for each of the first three years. The maintenance cost for these locations will be funded by the Gas Tax Fund in the amount of \$89,000 and the General Fund in the amount of \$59,350. The total amount is consistent with the City's annual baseline budget appropriations. Future contracting actions will be commensurate with City Council authorized work programs and budgets.

At the City's discretion, two additional one-year extensions may be exercised with an increase of 2% for the fourth year, and an increase of 2 % for the fifth year, respectively. Contracting for the multi-year period will allow the City to: limit the potential for yearly increases to the bid amounts; avoid the costs of re-bidding the contract annually; provide service continuity and project future costs.

BACKGROUND: In March 2012, the City solicited proposals for citywide asphalt grinding services for various City streets. Staff received three proposals that met bid criteria and the standards necessary to perform the work. Base cost proposals ranged from \$148,350 to \$166,500 annually. Proposals from the following vendors were received.

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

Prepared by: Roberto Perez
Department: Parks and Maintenance
City Manager Approval: 

Submitted to Council/O.H.A. 05/01/2012
Approved: _____
Continued to: _____
Denied: _____

17

Vendor
Pavement Recycling, Inc.
All American Asphalt
G.M. Sager

Location
Mira Loma, CA
Corona CA
Pomona CA

Pavement Recycling, Inc. located in Mira Loma, California, submitted a proposal that met all the required specifications with a base cost, three-year total of \$445,050. Based on their proposal, credentials, pricing and favorable references, staff recommends award of a Maintenance Services Agreement to Pavement Recycling, Inc.

CITY OF ONTARIO

Agenda Report
May 1, 2012

**SECTION:
PUBLIC HEARINGS**

SUBJECT: AN ORDINANCE AMENDING 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 FOR APPROXIMATELY 75 ACRES OF LAND LOCATED SOUTH OF INTERSTATE 10, WEST OF ARCHIBALD AVENUE, AND NORTH AND EAST OF GUAISTI ROAD (ASSESSOR'S PARCEL NUMBERS 110-322-08, 17, 18, 21, 22, 25, 27, 29, 30, 31, AND 33)

RECOMMENDATION: This item, continued from the April 3 and April 17, 2012 City Council meetings, is continued to the May 15, 2012 City Council meeting beginning at 6:30 p.m.

STAFF MEMBER PRESENTING: Jerry L. Blum, Planning Director

Prepared by: Scott Murphy
Department: Planning

City Manager
Approval: 

Submitted to Council/O.H.A. 05/01/2012
Approved: _____
Continued to: _____
Denied: _____

CITY OF ONTARIO

Agenda Report
May 1, 2012

SECTION:
PUBLIC HEARINGS

SUBJECT: A PUBLIC HEARING TO CONSIDER AN AMENDMENT TO THE POLICY PLAN (GENERAL PLAN) COMPONENT OF THE ONTARIO PLAN (FILE NO. PGPA09-001) TO REVISE THE HAMNER/SR-60 MIXED USE AREA TO INCLUDE A RESIDENTIAL LAND USE (20.0-30.0 DWELLING UNITS PER ACRE), A ZONE CHANGE (FILE NO. PZC09-002) TO REZONE APPROXIMATELY 20-ACRES OF LAND FROM R1 (SINGLE-FAMILY RESIDENTIAL) TO SPECIFIC PLAN, AND THE ADOPTION OF TUSCANA VILLAGE SPECIFIC PLAN (FILE NO. PSP09-001), TO MASTER PLAN APPROXIMATELY 20-ACRES OF LAND BY ESTABLISHING LAND USE DESIGNATIONS AND DESIGN GUIDELINES FOR THE PROPERTY LOCATED AT THE NORTHWEST CORNER OF RIVERSIDE DRIVE AND MILLIKEN AVENUE


RECOMMENDATION: This item, continued from the April 17, 2012 City Council meeting, is continued to the May 15, 2012 City Council meeting beginning at 6:30 p.m.

STAFF MEMBER PRESENTING: Jerry L. Blum, Planning Director

Prepared by: Scott Murphy

Department: Planning

City Manager

Approval: 

Submitted to Council/O.H.A. 05/01/2012

Approved: _____

Continued to: _____

Denied: _____

CITY OF ONTARIO

Agenda Report
May 1, 2012

**SECTION:
PUBLIC HEARINGS**

SUBJECT: CONSIDERATION OF AN ORDINANCE RELATED TO A DEVELOPMENT AGREEMENT (FILE NO PDA11-001) BETWEEN PANAYIOTIS AND ANDRIANA KATELARIS AND THE CITY OF ONTARIO TO ESTABLISH THE TERMS AND CONDITIONS FOR COMMERCIAL AND RESIDENTIAL DEVELOPMENT OF 20 ACRES WITHIN THE TUSCANA VILLAGE SPECIFIC PLAN


RECOMMENDATION: This item, continued from the April 17, 2012 City Council meeting, is continued to the May 15, 2012 City Council meeting beginning at 6:30 p.m.

STAFF MEMBER PRESENTING: Jerry L. Blum, Planning Director

Prepared by: Scott Murphy

Department: Planning

City Manager

Approval: 

Submitted to Council/O.H.A. 05/01/2012

Approved: _____

Continued to: _____

Denied: _____

20