

CITY OF ONTARIO
CITY COUNCIL, REDEVELOPMENT AGENCY,
AND HOUSING AUTHORITY
AGENDA
MAY 3, 2011

Paul S. Leon
Mayor

Debra Dorst-Porada
Mayor pro Tem

Alan D. Wapner
Council Member

Sheila Mautz
Council Member

Jim W. Bowman
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 200 North Cherry Avenue, 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, Redevelopment Agency, and Housing Authority meeting begins with Closed Session and Closed Session Comment at 6:00 p.m., Public Comment at 6:30 p.m. immediately followed by the Regular Meeting and Public Hearings. No agenda item will be introduced for consideration after 10:00 p.m. except by majority vote of the City Council.

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

CALL TO ORDER (*OPEN SESSION*)

6:00 p.m.

ROLL CALL

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

CLOSED SESSION PUBLIC COMMENT The Closed Session Public Comment portion of the Council/Redevelopment Agency/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 1048-521-14, 202 North Sultana Avenue; City/Agency/Authority Negotiator: Chris Hughes or his designee; Negotiating parties: Rapp Family Revocable Trust or Designee: Robert Adams; Under negotiation: Price and terms of payment.
- GC 54956.9 (a), CONFERENCE WITH LEGAL COUNSEL, EXISTING LITIGATION: WalMart, Case No. E049432

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

PLEDGE OF ALLEGIANCE

Council Member Mautz

INVOCATION

Pastor Steve Marquedant, Sovereign Grace Baptist Church

REPORT ON CLOSED SESSION

City Attorney

PUBLIC COMMENTS

6:30 p.m.

The Public Comment portion of the Council/Redevelopment Agency/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, Redevelopment Agency and Housing Authority of April 5, 2011, and approving same as on file in the Records Management Department.

2. BILLS/PAYROLL

Bills February 27, 2011 through March 12, 2011 and **Payroll** February 27, 2011 through March 12, 2011, when audited by the Finance Committee.

3. ANNUAL REVIEW OF CITYWIDE INVESTMENT POLICY

That City Council conclude the annual review process with the adoption of the citywide Investment Policy.

4. A RESOLUTION AUTHORIZING THE SUBMITTAL OF A GRANT APPLICATION FOR AND ACCEPTANCE OF PROPOSITION 1E STORM WATER FLOOD MANAGEMENT GRANT FUNDS FOR THE NEW MODEL COLONY STORM DRAIN PROJECT

That the City Council adopt a resolution authorizing the submittal of a grant application for Proposition 1E funds through the California Department of Water Resources (DWR); and authorize the City Manager to execute an agreement and related program documents as required for the acceptance of the grant.

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL, OF THE CITY OF ONTARIO, CALIFORNIA, AUTHORIZING THE APPLICATION FOR AND ACCEPTANCE OF PROPOSITION 1E STORM WATER FLOOD MANAGEMENT GRANT FUNDS FOR THE NEW MODEL COLONY STORM DRAIN PROJECT.

5. COOPERATIVE AGREEMENT BETWEEN THE COUNTY OF SAN BERNARDINO, THE CITY OF RANCHO CUCAMONGA, AND THE CITY OF ONTARIO FOR THE MAINTENANCE AND OPERATION OF A JOINTLY OWNED TRAFFIC SIGNAL

That the City Council approve a cooperative agreement (on file with the Records Management Department) between the County of San Bernardino, the City of Rancho Cucamonga and the City of Ontario for the maintenance and operation of a jointly owned traffic signal at the intersection of Etiwanda Avenue and San Bernardino Avenue/Fourth Street; and authorize the City Manager to execute said agreement and all future amendments.

6. "WATER AWARENESS MONTH" IN THE CITY OF ONTARIO

That the City Council recognize the month of May 2011 as "Water Awareness Month" in the City of Ontario.

7. "HISTORIC PRESERVATION MONTH" IN THE CITY OF ONTARIO

That City Council recognize the month of May 2011 as "Historic Preservation Month" in the City of Ontario.

8. RECOGNITION OF MAY 15 - 21, 2011 AS "BLUE RIBBON WEEK" IN THE CITY OF ONTARIO

That the City Council recognize the week of May 15 – 21, 2011 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.

9. PROFESSIONAL SERVICES AGREEMENT WITH WILLDAN HOMELAND SOLUTIONS FOR PLAN DEVELOPMENT SERVICES AS PART OF THE FY2009 URBAN AREA SECURITY INITIATIVE (UASI) GRANT PROGRAM/WILLDAN HOMELAND SOLUTIONS

That the City Council authorize the City Manager to execute a Professional Services Agreement (on file with the Records Management Department) with Willdan Homeland Solutions of Anaheim, California, for the development of interoperable communications plans, as part of the FY2009 Department of Homeland Security UASI Interoperable Communications Enhancement Project, in a not to exceed amount of \$200,000.

10. AMENDMENT TO THE PURCHASE CONTRACT FOR A POLICE HELICOPTER AND AWARD OF A PURCHASE AGREEMENT FOR AVIONIC EQUIPMENT

That the City Council authorize the City Manager to execute an amendment to the existing purchase contract with American Eurocopter Company (AEC), of Grand Prairie, Texas, to reduce the scope of work and deliverables by \$1,427,013; and authorize the City Manager to execute a purchase agreement in the amount of \$1,402,565 with Hangar One Avionics (Hangar One), of Carlsbad, California, to transfer the acquisition and installation of certain avionics equipment from AEC to Hangar One.

11. A RESOLUTION APPROVING AN ECONOMIC DEVELOPMENT JOBS CREATION GRANT AGREEMENT

That the Ontario Redevelopment Agency Board adopt a resolution approving an Economic Development Jobs Creation Grant Agreement between the Ontario Redevelopment Agency and Ontario T, Inc., dba John Elway's Crown Toyota and dba John Elway's Crown Scion, of Ontario, California, to create job opportunities and reduce economically blighted influences within Project Area No. 1.

RESOLUTION NO. _____

A RESOLUTION OF THE ONTARIO REDEVELOPMENT AGENCY OF THE CITY OF ONTARIO, CALIFORNIA APPROVING AN ECONOMIC DEVELOPMENT JOB CREATION GRANT AGREEMENT BETWEEN THE ONTARIO REDEVELOPMENT AGENCY AND ONTARIO T, INC., DBA JOHN ELWAY'S CROWN TOYOTA AND DBA JOHN ELWAY'S CROWN SCION.

12. APPROVAL OF THE ONE-YEAR ANNUAL ACTION PLAN FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT (“CDBG”), HOME INVESTMENT PARTNERSHIP (“HOME”), AND THE EMERGENCY SHELTER GRANT (“ESG”) PROGRAMS FOR FY 2011-2012

That the City Council:

- (A) Approve the proposed 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 and Subrecipient Agreements.

PUBLIC HEARINGS

13. A PUBLIC HEARING TO CONSIDER GENERAL PLAN AMENDMENT (PGPA10-001) TO REVISE THE POLICY PLAN (GENERAL PLAN) MOBILITY ELEMENT - FIGURE M-5

That the City Council adopt a resolution approving General Plan Amendment File No. PGPA10-001 to revise the Policy Plan Mobility Element – Figure M-5 relating to truck routes.

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

Written communication.

Oral presentation.

Public hearing closed.

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING FILE NO. PGPA10-001, A GENERAL PLAN AMENDMENT TO THE MOBILITY ELEMENT FIGURE M-5 OF THE POLICY PLAN, AND MAKING FINDINGS IN SUPPORT THEREOF.

14. A PUBLIC HEARING TO CONSIDER CERTIFICATION OF A SUPPLEMENTAL ENVIRONMENTAL IMPACT REPORT FOR FILE NO. PSPA08-006 AND A SPECIFIC PLAN AMENDMENT TO THE GUAISTI PLAZA SPECIFIC PLAN

That the City Council consider and adopt resolutions certifying the Supplemental Environmental Impact Report and approving File No. PSPA08-006 amending the Guasti Plaza Specific Plan to allow for up to 500 residential dwelling units on approximately 13 acres of land located at the southwest corner of Guasti Road and Turner Avenue.

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

Written communication.

Oral presentation.

Public hearing closed.

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, CERTIFYING THE FINAL SUPPLEMENTAL ENVIRONMENTAL IMPACT REPORT PREPARED FOR THE GUAISTI PLAZA SPECIFIC PLAN AMENDMENT AND ADOPTING ENVIRONMENTAL FINDINGS PURSUANT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT, A STATEMENT OF OVERRIDING CONSIDERATIONS, AND A MITIGATION MONITORING AND REPORTING PROGRAM AND APPROVING THE PROPOSED GUAISTI PLAZA SPECIFIC PLAN AMENDMENT.

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, PARTIALLY APPROVING FILE NO. PSPA08-006, A SPECIFIC PLAN AMENDMENT TO THE GUAISTI PLAZA SPECIFIC PLAN, TO ALLOW FOR UP TO 500 RESIDENTIAL DWELLING UNITS ON APPROXIMATELY 8 ACRES OF LAND AND THE INCORPORATION OF THE GUAISTI CONSERVATION PLAN AND CONCEPTUAL INTERPRETIVE PLAN INTO THE GUAISTI SPECIFIC PLAN, LOCATED AT THE SOUTHWEST CORNER OF GUAISTI ROAD AND TURNER AVENUE, AND MAKING FINDINGS IN SUPPORT THEREOF –APN: 0210-192-11.

15. A JOINT PUBLIC HEARING OF THE ONTARIO CITY COUNCIL AND THE ONTARIO REDEVELOPMENT AGENCY BOARD REGARDING PROPOSED AMENDMENTS TO MERGE THE AGENCY'S EXISTING REDEVELOPMENT PROJECT AREAS AND EXTEND THE TIME LIMIT TO ESTABLISH LOANS, ADVANCES, AND INDEBTEDNESS IN A COMPONENT AREA OF THE PROPOSED MERGED REDEVELOPMENT PROJECT AREA AND ADOPT AN ASSOCIATED MITIGATED NEGATIVE DECLARATION

That the City Council and Ontario Redevelopment Agency Board hold a joint public hearing regarding a proposed Redevelopment Project Area Merger; extension of the time limit to establish loans, advances, and indebtedness in a component area of the proposed Merged Redevelopment Project Area and adopt an associated Mitigated Negative Declaration; and take the following actions:

- (A) The Agency Board consider and adopt a resolution to approve and adopt a Mitigated Negative Declaration and Mitigation Monitoring and Reporting program prepared for the proposed Redevelopment Project Area Merger;
- (B) The Agency Board adopt a resolution authorizing transmittal of proposed amendments to redevelopment plans merging the existing project areas and extending the time limit to incur indebtedness by ten years for the added area of Project Area No. 2; and transmittal of a report to the City Council relating to the proposed amendments and making certain findings related thereto;
- (C) The City Council consider and adopt a resolution to approve and adopt a Mitigated Negative Declaration and Mitigation Monitoring and Reporting program prepared for the proposed Redevelopment Project Area Merger; and
- (D) The City Council introduce and waive further reading of an ordinance to approve and adopt the proposed amendments.

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

Written communication.

Oral presentation.

Public hearing closed.

RESOLUTION NO. _____

A RESOLUTION OF THE CITY OF ONTARIO REDEVELOPMENT AGENCY OF THE CITY OF ONTARIO, CALIFORNIA, AS LEAD AGENCY, ADOPTING THE MITIGATED NEGATIVE DECLARATION FOR PROPOSED AMENDMENTS TO THE REDEVELOPMENT PLANS FOR THE CITY OF ONTARIO REDEVELOPMENT PROJECT AREAS.

RESOLUTION NO. _____

A RESOLUTION OF THE ONTARIO REDEVELOPMENT AGENCY OF THE CITY OF ONTARIO, CALIFORNIA, AUTHORIZING TRANSMITTAL OF PROPOSED AMENDMENTS TO THE REDEVELOPMENT PLANS FOR PROJECT AREA NO. 1, PROJECT AREA NO. 2, THE CIMARRON PROJECT AREA, CENTER CITY PROJECT AREA AND GUASTI PROJECT AREA TO (1) MERGE THESE PROJECT AREAS INTO THE ONTARIO MERGED REDEVELOPMENT PROJECT AREA AND (2) EXTEND THE TIME LIMIT TO INCUR INDEBTEDNESS BY TEN (10) YEARS FOR THE ADDED AREA OF PROJECT AREA NO. 2 UPON ADOPTION OF THE MERGER; TRANSMITTAL OF A REPORT TO COUNCIL RELATING TO THE PROPOSED AMENDMENTS AND MAKING CERTAIN FINDINGS RELATED THERETO.

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, AS RESPONSIBLE AGENCY, ADOPTING THE MITIGATED NEGATIVE DECLARATION FOR PROPOSED AMENDMENTS TO THE REDEVELOPMENT PLANS FOR THE CITY OF ONTARIO'S REDEVELOPMENT PROJECT AREAS.

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, ADOPTING THE PROPOSED AMENDMENTS TO (1) MERGE PROJECT AREA NO. 1, PROJECT AREA NO. 2, THE CIMARRON PROJECT AREA, CENTER CITY PROJECT AREA AND GUASTI REDEVELOPMENT PROJECT AREA INTO THE ONTARIO MERGED REDEVELOPMENT PROJECT AREA AND (2) EXTEND A CERTAIN TIME LIMIT TO INCUR INDEBTEDNESS BY TEN (10) YEARS UPON ADOPTION OF THE MERGER; AND MAKING CERTAIN FINDINGS RELATED THERETO.

COUNCIL MATTERS

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

STAFF MATTERS

City Manager Hughes

ADJOURNMENT

CITY OF ONTARIO

CLOSED SESSION REPORT

City Council / / Housing Authority / / Redevelopment Agency / /
Redevelopment Financing Agency / / Other / / (GC 54957.1)

May 3, 2011

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

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

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

- GC 54956.8, CONFERENCE WITH REAL PROPERTY NEGOTIATORS
Property: APN 1048-521-14, 202 North Sultana Avenue; City/Agency/Authority
Negotiator: Chris Hughes or his designee; Negotiating parties: Rapp Family
Revocable Trust or Designee: Robert Adams; Under negotiation: Price and terms of
payment.

No Reportable Action	Continue	Approved
----------------------	----------	----------

//	//	//
----	----	----

Disposition: _____

- GC 54956.9 (a), CONFERENCE WITH LEGAL COUNSEL, EXISTING
LITIGATION: WalMart, Case No. E049432

No Reportable Action	Continue	Approved
----------------------	----------	----------

//	//	//
----	----	----

Disposition: _____

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

CITY OF ONTARIO

Agenda Report
May 3, 2011

SECTION:
CONSENT CALENDAR

SUBJECT: ANNUAL REVIEW OF CITYWIDE INVESTMENT POLICY

RECOMMENDATION: That City Council conclude the annual review process with the adoption of the citywide Investment Policy.

COUNCIL GOALS: Develop Strategies and Take Actions 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

FISCAL IMPACT: None.

BACKGROUND: The City of Ontario Investment Policy requires an annual review of the policy, and adoption of any changes to the policy must take place at a public meeting. Staff has reviewed the existing Investment Policy and recommends no changes at this time.

The City's policy reflects California State Government Code very closely while being even more restrictive in terms of investment allocations and maturities. For example, State Code puts no limitation on the maturities of securities in the portfolio; whereas, the City of Ontario's policy limits the weighted average maturity of the investment portfolio to no more than 2 ½ years. Ontario's practice thereby limits the price volatility of the portfolio and controls market value risk. This limitation reflects the most important tenet of the City's Investment Policy, which is that preservation and safety of principal is the most important factor when investing the City's funds.

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

Prepared by: Guy A. Boccasile
Department: AS/General Services

City Manager
Approval: 

Submitted to Council/O.R.A./O.H.A. 5/3/11

Approved: _____

Continued to: _____

Denied: _____

CITY OF ONTARIO

Agenda Report

May 3, 2011

SECTION: CONSENT CALENDAR

SUBJECT: A RESOLUTION AUTHORIZING THE SUBMITTAL OF A GRANT APPLICATION FOR AND ACCEPTANCE OF PROPOSITION 1E STORM WATER FLOOD MANAGEMENT GRANT FUNDS FOR THE NEW MODEL COLONY STORM DRAIN PROJECT

RECOMMENDATION: That the City Council adopt a resolution authorizing the submittal of a grant application for Proposition 1E funds through the California Department of Water Resources (DWR); and authorize the City Manager to execute an agreement and related program documents as required for the acceptance of the grant.

COUNCIL GOALS: Develop Strategies and Take Actions 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
Ensure the Development of a Well Planned, Balanced, and Self-Sustaining Community in the New Model Colony

FISCAL IMPACT: The estimated total project cost is \$13.7 million, and the City is requesting a \$6.8 million Proposition 1E Storm Water Flood Management grant. If the City is successful in receiving the grant award, a local matching contribution in the amount of \$6.9 million would be required. NMC Builders, LLC would provide the matching funds and receive commensurate NMC Storm Drain Development Impact Fee (DIF) credits.


BACKGROUND: The proposed NMC Storm Drain Project is an element of the NMC backbone infrastructure system and is a part of a master planned solution to an existing regional storm water flood risk condition in the eastern portion of the NMC. This area is subject to possible flooding during major storm events resulting in potential road closures, impacts to regional traffic circulation, property damage and significant challenges in providing emergency access.

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

Prepared by: Khoi Do, P.E.

Department: Engineering

City Manager

Approval: 

Submitted to Council/O.R.A./O.H.A. 5/3/11

Approved: _____

Continued to: _____

Denied: _____

4

The proposed project consists of storm drain infrastructure in the twelve arterial and collector streets within the eastern portion of the NMC. The design has been completed and approved for six of the twelve storm drain systems. The remaining six systems are currently under design.

CITY OF ONTARIO

Agenda Report
May 3, 2011

SECTION:
CONSENT CALENDAR

SUBJECT: COOPERATIVE AGREEMENT BETWEEN THE COUNTY OF SAN BERNARDINO, THE CITY OF RANCHO CUCAMONGA, AND THE CITY OF ONTARIO FOR THE MAINTENANCE AND OPERATION OF A JOINTLY OWNED TRAFFIC SIGNAL


RECOMMENDATION: That the City Council approve a cooperative agreement (on file with the Records Management Department) between the County of San Bernardino, the City of Rancho Cucamonga and the City of Ontario for the maintenance and operation of a jointly owned traffic signal at the intersection of Etiwanda Avenue and San Bernardino Avenue/Fourth Street; and authorize the City Manager to execute said agreement and all future amendments.

COUNCIL GOALS: Develop Strategies and Take Actions 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 City's baseline operating budget includes appropriations for Ontario's portion of the on-going maintenance and operation costs of this traffic signal. This agreement will not alter the allocation or contribution of approximately \$2,000 per year paid by Ontario. If approved, revenue and corresponding expenditure adjustments will be included in future budget reports to the City Council to reflect the reimbursements to be received from the County and Rancho Cucamonga.

BACKGROUND: The intersection of Etiwanda Avenue at San Bernardino Avenue/Fourth Street is jointly owned by the County of San Bernardino (50%), the City of Rancho Cucamonga (25%) and the City of Ontario (25%) as established by city-county agency boundary lines. The County has historically maintained the traffic signal at this intersection and invoiced Rancho Cucamonga and Ontario for their fair share costs in accordance with two separate agreements. Rancho Cucamonga, County and Ontario staff have concluded that it is in the best interest of all agencies to have Ontario maintain the subject signal due to its close proximity to adjacent Ontario signals on Etiwanda Avenue. A new three-party agreement between the agencies is required to address operational and financial responsibilities.

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

Prepared by: Mauricio Diaz
Department: Engineering
City Manager Approval: 

Submitted to Council/O.R.A./O.H.A. 5/3/11
Approved: _____
Continued to: _____
Denied: _____

CITY OF ONTARIO

Agenda Report
May 3, 2011

SECTION: CONSENT CALENDAR

SUBJECT: “WATER AWARENESS MONTH” IN THE CITY OF ONTARIO

RECOMMENDATION: That the City Council recognize the month of May 2011 as “Water Awareness Month” in the City of Ontario.

COUNCIL GOALS: Develop Strategies and Take Actions 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.

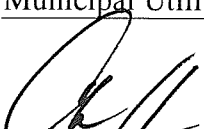
BACKGROUND: For over twenty years, cities, counties, local water agencies, State agencies and organizations throughout California have recognized May as “Water Awareness Month.” The City of Ontario supports these efforts in order to raise public awareness of the need for safe and reliable drinking water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

The Department of Water Resources has confirmed that the water content in California’s mountain snowpack is well above average; however, the serious issues facing the Sacramento-San Joaquin Bay Delta will continue to impact our water supply making it important to use water as efficiently as possible.

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

- Water-Wise Gardening Workshops (next workshop will be held at the Ontario Senior Center on Saturday, May 14 from 9:00 am – 1:00 pm);
- Rebates are currently available to Ontario residents for high-efficiency clothes washers, weather based irrigation controllers, and irrigation spray heads;

STAFF MEMBER PRESENTING: Mohamed El-Amamy, Utilities General Manager

Prepared by: Michael Sigsbee
Department: Municipal Utilities Company
City Manager Approval: 

Submitted to Council/O.R.A./O.H.A. 5/3/11
Approved: _____
Continued to: _____
Denied: _____

- Training and assistance is provided to residents and businesses that are interested in installing water-efficient landscaping;
- Thousands of homes have benefitted with landscaping and other water conservation improvements through the Ontario CARES Program; and
- Beautiful water-efficient landscaping is being installed at City facilities and street medians to replace high water consumption landscaping.

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

CITY OF ONTARIO

Agenda Report
May 3, 2011

SECTION:
CONSENT CALENDAR

SUBJECT: “HISTORIC PRESERVATION MONTH” IN THE CITY OF ONTARIO

RECOMMENDATION: That City Council recognize the month of May 2011 as “Historic Preservation Month” in the City of Ontario.

COUNCIL GOALS: Develop Strategies and Take Actions 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

FISCAL IMPACT: None..

BACKGROUND: Since 1971, the National Trust for Historic Preservation has conducted nationwide campaigns to celebrate historical places and showcase preservation activities. In 2005, the National Trust began designating the month of May as Historic Preservation Month.

The goals of Historic Preservation Month are to promote historical places for the purpose of instilling national and community pride, promoting heritage tourism and showing the social and economic benefits of historic preservation. This year, the City is celebrating Historic Preservation Month by holding the eleventh “Model Colony” Awards program, presentation and reception.

The City’s 2011 Historic Preservation Month theme is “This Place Matters”, a successful National Trust campaign that photographs local community members with the historic resources that matter to them. The City invited organizations that have made a significant contribution to creating and preserving the City’s heritage to participate in the local campaign. City staff photographed historic properties with owners, co-workers, family, and friends associated with the property holding the sign “This Place Matters” in the foreground. All photographs will be uploaded to the National Trust website. The local pictures of Ontario will be presented at this year’s Model Colony Awards program, which is scheduled for June 21 and will be added to the photographs of thousands of individuals and organizations across the nation that have shared their photographs of historic places.

STAFF MEMBER PRESENTING: Jerry L. Blum, Planning Director

Prepared by: Diane Ayala
Department: Planning Department

City Manager
Approval: 

Submitted to Council/O.R.A./O.H.A. 5/3/11

Approved: _____

Continued to: _____

Denied: _____

CITY OF ONTARIO

Agenda Report
May 3, 2011

SECTION:
CONSENT CALENDAR

SUBJECT: RECOGNITION OF MAY 15 - 21, 2011 AS "BLUE RIBBON WEEK" IN THE CITY OF ONTARIO

RECOMMENDATION: That the City Council recognize the week of May 15 – 21, 2011 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 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.

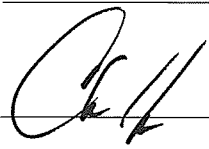
BACKGROUND: "Blue Ribbon Week" was established in 1993 to encourage support of and confidence in law enforcement from the general public. Residents can show their support for law enforcement personnel by wearing a blue ribbon during the week. Such visible support is a tremendous morale boost for all 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.R.A./O.H.A. 5/3/11

Approved: _____

Continued to: _____

Denied: _____

CITY OF ONTARIO

Agenda Report
May 3, 2011

SECTION:
CONSENT CALENDAR

SUBJECT: PROFESSIONAL SERVICES AGREEMENT WITH WILLDAN HOMELAND SOLUTIONS FOR PLAN DEVELOPMENT SERVICES AS PART OF THE FY2009 URBAN AREA SECURITY INITIATIVE (UASI) GRANT PROGRAM

RECOMMENDATION: That the City Council authorize the City Manager to execute a Professional Services Agreement (on file with the Records Management Department) with Willdan Homeland Solutions of Anaheim, California, for the development of interoperable communications plans, as part of the FY2009 Department of Homeland Security UASI Interoperable Communications Enhancement Project, in a not to exceed amount of \$200,000.

COUNCIL GOALS: Develop Strategies and Take Actions 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: Under the FY2009 Riverside Urban Area Spending Plan, a total of \$200,000 was allocated to the City of Ontario by the UASI Approval Authority to pursue an Interoperable Communications Enhancement Project. Appropriations and offsetting grant revenues for this agreement are included in the Fiscal Year 2010-11 Budget.

BACKGROUND: On December 15, 2009, the City Council approved the acceptance of a sub-grant award from the U.S. Department of Homeland Security and the California Emergency Management Agency. One of the objectives outlined in the grant award was to enhance Regional Tactical Interoperability Plans and emergency response collaboration.

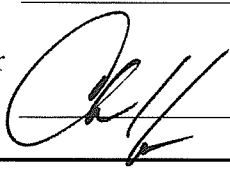
The FY2009 Interoperable Communications Enhancement Project was identified as a primary goal of the Riverside Urban Area Strategic Plan, corresponding with the Interoperable Communications goals identified in the FY2009 State of California Homeland Security Strategy and National Strategy for Homeland Security. Willdan Homeland Solutions was identified as a sole-source service provider to complete the Riverside Urban Area project as an extension of their statewide contract with the

STAFF MEMBER PRESENTING: Eric Hopley, Chief of Police

Prepared by: Darryl Polk

Department: Police

City Manager

Approval: 

Submitted to Council/O.R.A./O.H.A. 5/3/11

Approved: _____

Continued to: _____

Denied: _____

9

California Statewide Interoperability Executive Committee. Willdan is completing the Tactical Interoperable Communications Plans for all State Operational Areas and Homeland Security Urban Areas.

CITY OF ONTARIO

Agenda Report
May 3, 2011

SECTION: CONSENT CALENDAR

SUBJECT: AMENDMENT TO THE PURCHASE CONTRACT FOR A POLICE HELICOPTER AND AWARD OF A PURCHASE AGREEMENT FOR AVIONIC EQUIPMENT


RECOMMENDATION: That the City Council authorize the City Manager to execute an amendment to the existing purchase contract with American Eurocopter Company (AEC), of Grand Prairie, Texas, to reduce the scope of work and deliverables by \$1,427,013; and authorize the City Manager to execute a purchase agreement in the amount of \$1,402,565 with Hangar One Avionics (Hangar One), of Carlsbad, California, to transfer the acquisition and installation of certain avionic equipment from AEC to Hangar One.

COUNCIL GOALS: Develop Strategies and Take Actions to Minimize the Negative Impacts of the Global Financial Downturn on Ontario's Economy and City's Fiscal Health
Maintain the Current High Level of Public Safety

FISCAL IMPACT: Transferring supplier responsibility for the acquisition and installation of avionic equipment for the new police helicopter will result in a reduction to the existing contract with AEC in the amount of \$1,427,013 (from \$3,566,301 to \$2,139,288); and the recommended new contract with Hangar One is \$1,402,565, resulting in a net cost savings of \$24,448. In addition, Hangar One will supply an upgraded digital camera system with live video downlink capabilities which was not previously included in the AEC purchase contract.

Appropriations for the purchase of the new police helicopter were included in the Fiscal Year 2010-11 First Quarter Budget Report. The total cost of the AS350B2 helicopter, including pilot training, is \$3,541,853 and will be funded from the Public Safety Equipment Replacement Fund. Payment is due upon delivery of the helicopter (projected as December 2011). The City expects to sell the existing helicopter soon after the delivery of the new helicopter; and it is projected that the sale will generate approximately \$1,000,000. This will reduce the net cost of the new helicopter to approximately \$2,541,853.

STAFF MEMBER PRESENTING: Eric Hopley, Police Chief

Prepared by: Eric Weidner
Department: Police Department
City Manager Approval: 

Submitted to Council/O.R.A./O.H.A. 5/3/11
Approved: _____
Continued to: _____
Denied: _____

10

BACKGROUND: On December 10, 2010, the City Council approved a purchase contract with AEC for a new AS350B2 police helicopter to replace one of the City's existing helicopters. The City acquired its first AS350B2 helicopter from AEC in December 2002. This helicopter has an estimated lifespan of 10 years—scheduled for replacement in December 2012. However, staff recommended an early replacement of the existing helicopter. Due to its age and high number of flight hours, the existing helicopter will require a major engine overhaul by the end of the year. After evaluating the cost of the engine overhaul and the estimated resale value of the existing helicopter, staff has determined that it is more cost effective over the entirety of the helicopter lifespan to replace the existing helicopter rather than perform the overhaul work.

Due to a backlog of manufacturing orders, AEC recently informed the City that construction of the new police helicopter including the required avionic equipment might not be completed by the original scheduled delivery of December 2011. Since the main reason in replacing the helicopter at this time to avoid the significant cost of a major engine overhaul, staff is recommending that the City expedite the completion of the helicopter by awarding an acquisition and installation agreement for the necessary avionic equipment to Hangar One. The installation schedule for the avionic equipment through Hangar One is approximately three months as compared to six months now through AEC. Another advantage of Hangar One is their Southern California location, which will allow staff to perform frequent inspections during the installation process. In addition, the Carlsbad location is beneficial for any follow-up warranty work that may be required.

Hangar One is Southern California's leading avionics company and is based at McClellan-Palomar Airport. The company is an FAA-certified repair station and an authorized sales and service center for manufacturers of avionic equipment for both law enforcement and private business aircrafts. Hangar One is also a member of the Airborne Law Enforcement Association and is familiar with new technologies needed by law enforcement agencies to perform crime prevention, safety and rescue missions. Hangar One's other law enforcement clients include the Los Angeles County Sheriff's Department, City of San Diego, California Highway Patrol, U.S Customs and Border Protection, Drug Enforcement Agency, Stanislaus County, Placer County and the City of Tucson.

CITY OF ONTARIO

Agenda Report
May 3, 2011

SECTION:
CONSENT CALENDAR

SUBJECT: A RESOLUTION APPROVING AN ECONOMIC DEVELOPMENT JOBS CREATION GRANT AGREEMENT

RECOMMENDATION: That the Ontario Redevelopment Agency Board adopt a resolution approving an Economic Development Jobs Creation Grant Agreement between the Ontario Redevelopment Agency and Ontario T, Inc., dba John Elway's Crown Toyota and dba John Elway's Crown Scion, of Ontario, California, to create job opportunities and reduce economically blighted influences within Project Area No. 1.

COUNCIL GOALS: Develop Strategies and Take Actions 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

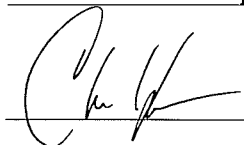
FISCAL IMPACT: The automobile dealership is proceeding with a facility remodel program which will result in façade and other site improvements within Project Area No. 1. To facilitate and encourage jobs creation, the Agency recommends an economic development grant agreement with a maximum annual eligibility amount of \$500,000 and a cumulative not-to-exceed amount of \$2,500,000 over the term of the agreement. Any payments to the dealer will be contingent upon the creation and maintenance of new jobs for dealer operations and a requirement that a minimum annual taxable sales amount be reached during the agreement term. The grant payments will be made from the Project Area No. 1 Fund.

BACKGROUND: Ontario T., Inc. dba John Elway's Crown Toyota/Scion is located in the Ontario Auto Center at 1201 Kettering Drive and is within the boundaries of Redevelopment Project Area No. 1. In May 2007, the dealer acquired and occupied a 6-acre site at 1151 Kettering Drive. The dealer is preparing to move forward with its Image II remodel program consisting of a comprehensive exterior façade improvements as well as other site improvements. The Redevelopment Agency and dealer have negotiated tentative terms of an Economic Development Jobs Creation Grant Agreement ("Agreement") to create job opportunities that might not otherwise have been added to the local workforce, as well as reduce economically blighting influences within Project Area No. 1.

STAFF MEMBER PRESENTING: John Andrews, Economic Development Director

Prepared by: John Andrews
Department: Economic Development

City Manager
Approval:



Submitted to Council/O.R.A./O.H.A. 5/3/11

Approved: _____

Continued to: _____

Denied: _____

11

Under the terms of the proposed Agreement, the dealer covenants and agrees to create and use best efforts to maintain new jobs created for dealer operations. Within thirty days of the Agreement start date, the dealer is to file a written affidavit establishing the base number of full-time jobs that exist. Agency staff shall conduct regular inspections of the dealer's payroll accounting records relating to new jobs and confirmation of the information included in each subsequent annual affidavit of the dealer. Annual grant payments not-to-exceed \$500,000, corresponding to \$50,000 per new job created, are to be made after confirmation of new jobs creation. The cumulative not-to-exceed eligible grant payments is \$2,500,000 over the term of the Agreement. The Agreement also provides for facilitating the implementation of the dealer's remodel program as well as establishing an annual minimum taxable sales benchmark which if not met, adjusts the amount of the annual grant payment. Finally, the Agreement contains non-competition provisions which establish a covenant running with the dealer's leasehold interest in the site and shall bind all successors, until the fifth anniversary of the start date.

CITY OF ONTARIO

Agenda Report
May 3, 2011

SECTION: CONSENT CALENDAR

SUBJECT: APPROVAL OF THE ONE-YEAR ANNUAL ACTION PLAN FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT ("CDBG"), HOME INVESTMENT PARTNERSHIP ("HOME"), AND THE EMERGENCY SHELTER GRANT ("ESG") PROGRAMS FOR FY 2011-2012

RECOMMENDATION: That the City Council:

- (A) Approve the proposed 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 and Subrecipient Agreements.


COUNCIL GOALS: Develop Strategies and Take Actions 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 \$2,183,665 in CDBG funds, \$896,464 in HOME Funds, and \$147,484 in ESG funds from HUD.

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 2011-2012 Action Plan is the second plan prepared as part of the FY 2010-2014 Five-Year Consolidated Plan.

The City of Ontario conducted community forum/public hearings on January 26, 2011 and March 24, 2011 to solicit public participation in the development of the One-Year Action Plan. Comments

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

Prepared by: Jamie Richardson
Department: Housing
City Manager Approval: 

Submitted to Council/O.R.A./O.H.A. 5/3/11
Approved: _____
Continued to: _____
Denied: _____

12

received at the meetings were incorporated into the Action Plan. On March 25, 2011 and April 22, 2011, 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 25, 2011 to April 25, 2011.

The City of Ontario's CDBG, HOME, and ESG allocations from HUD are anticipated to decrease by approximately 10% for FY 2011-2012 from last year's allocation as illustrated below:

	FY 10-11	FY 11-12	Difference
CDBG	\$2,620,045	\$2,183,665	(\$436,380)
HOME	\$1,020,804	\$896,464	(\$124,340)
ESG	\$106,441	\$147,484	\$41,043
TOTAL	\$3,747,290	\$3,227,613	(\$519,677)

The detailed FY 2011-2012 funding allocations are provided in the attached ("Exhibit A").

One-Year Action Plan

The One-Year Action Plan allocates funds to programs designed to support strategies identified in the Consolidated Plan. Recommended funding allocations in FY 2011-2012 for the following programs included in the Action Plan are as follows:

	CDBG	HOME	ESG
CDBG	\$2,183,665		
Estimated Program Income	\$25,000	\$50,000	
HOME		\$896,464	
ESG			\$147,484
TOTAL	\$2,208,665	\$946,464	\$147,484

For FY 2011-2012, all currently contracted non-profit public service providers are recommended for renewal.

Subsequent to City Council approval, the One-Year Action Plan will be submitted to the U.S. Department of Housing and Urban Development prior to the May 13, 2011 deadline.

EXHIBIT A

FY 2011-2012 FUNDING ALLOCATION SUMMARY

RECOMMENDED CDBG FUNDING

Program	Agency	FY 10-11	Recommended FY 11-12
CAPITAL IMPROVEMENT PROJECTS			
Water Conservation Projects at various parks and medians	Community & Public Services Agency	\$187,580	\$0
Pervious Concrete Gutters	Engineering Department	\$75,000	\$0
Energy Efficient Lighting	Municipal Utilities Agency	\$295,358	\$0
Wheelchair Ramp Installation	Community & Public Services Agency	\$100,000	\$0
Sidewalk Reconstruction	Community & Public Services Agency	\$100,000	\$0
Local Street Rubberized Rehabilitation Project	Engineering Department	\$0	\$180,000
Homeless Services Outreach Center	Mercy House	\$0	\$574,291
SUBTOTAL		\$757,938	\$754,291
HOUSING			
Foreclosure Opportunities Response Team	Ontario Code Enforcement	\$100,000	\$100,000
Community Improvement Team	Ontario Code Enforcement	\$870,009	\$590,009
SUBTOTAL		\$970,009	\$690,009
PUBLIC SERVICES			
<u>Public Safety</u>			
C.O.P.S. Program	Ontario Police Department	\$223,982	\$223,982
<u>Homeless Services</u>			
Assisi House & Aftercare Services	Mercy House	\$131,157	\$65,700
<u>Youth Services</u>			
Child Care Subsidies	Ontario-Montclair YMCA	\$22,000	\$22,000
<u>Senior Services</u>			
Senior Services	Inland Fair Housing & Mediation Board	\$15,950	\$15,950
SUBTOTAL		\$393,089	\$327,632
ADMINISTRATION			
Administration	City of Ontario	\$491,809	\$404,533
<u>Fair Housing</u>			
Fair Housing	Inland Fair Housing & Mediation Board	\$22,000	\$22,000
Landlord/Tenant Housing Mediation	Inland Fair Housing & Mediation Board	\$10,200	\$10,200
SUBTOTAL		\$524,009	\$436,733
TOTAL		\$2,645,045	\$2,208,665

RECOMMENDED HOME FUNDING

Program	Agency	FY 10-11	Recommended FY 11-12
Single & Multi-Family Housing Acquisition, Rehabilitation and/or Resale Construction Program	Ontario Housing Agency	\$815,603	\$722,348
Community Housing Development Organizations (CHDOs) Housing Program	Community Housing Development Organizations (CHDOs)	\$153,121	\$134,470
Administration	City of Ontario	\$102,080	\$89,646
TOTAL		\$1,070,804	\$946,464

RECOMMENDED ESG FUNDING

Program	Agency	FY 10-11	Recommended FY 11-12
First Steps Transitional Housing	Foothill Family Shelter	\$10,900	\$10,900
SOVA Hunger Center	Inland Valley Council of Churches	\$26,300	\$26,300
Services for Battered Women and Children	House of Ruth	\$18,000	\$18,000
Mercy House Center Ontario	Mercy House	\$51,241	\$92,284
TOTAL		\$106,441	\$147,484

CITY OF ONTARIO

Agenda Report
May 3, 2011

**SECTION:
PUBLIC HEARINGS**

SUBJECT: A PUBLIC HEARING TO CONSIDER GENERAL PLAN AMENDMENT (PGPA10-001) TO REVISE THE POLICY PLAN (GENERAL PLAN) MOBILITY ELEMENT - FIGURE M-5

RECOMMENDATION: That the City Council adopt a resolution approving General Plan Amendment File No. PGPA10-001 to revise the Policy Plan Mobility Element – Figure M-5 relating to truck routes.


COUNCIL GOALS: Develop Strategies and Take Actions 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: Since the City Council adopted The Ontario Plan in 2010, the Engineering Department has further evaluated truck routes and based on this evaluation is proposing to eliminate unnecessary truck route segments and add needed truck route segments throughout the City of Ontario. This general plan amendment modifies the Mobility Element's Figure M-5 "Truck Routes" by eliminating segments on Vineyard Avenue, Archibald Avenue, Fourth Street, Francis Street, Bon View Avenue, Campus Avenue, Philadelphia Street and adding segments on Mountain Avenue, Riverside Drive, Merrill Avenue, Carpenter Avenue and Holt Boulevard. The general plan amendment provides consistency with adjacent jurisdictions, minimizes negative impacts to existing neighborhoods and optimizes truck traffic circulation throughout the City.

On April 26, 2011, the Planning Commission conducted a duly noticed public hearing and approved by resolution a recommendation that the City Council approve the general plan amendment. The attached Planning Commission staff report provides additional detail on each truck route segment amendment.

STAFF MEMBER PRESENTING: Jerry L. Blum, Planning Director

Prepared by: Lorena Mejia
Department: Planning Department
City Manager Approval: 

Submitted to Council/O.R.A./O.H.A. 5/3/11
Approved: _____
Continued to: _____
Denied: _____

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

I, VICKI L. KASAD, Assistant City Clerk of the City of Ontario, DO HEREBY CERTIFY that foregoing Resolution No. 2011- was duly passed and adopted by the City Council of the City of Ontario at their regular meeting held May 3, 2011 by the following roll call vote, to wit:

AYES: COUNCIL MEMBERS:

NOES: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

VICKI L. KASAD, MMC, ASSISTANT CITY CLERK

(SEAL)

The foregoing is the original of Resolution No. 2011- duly passed and adopted by the Ontario City Council at their regular meeting held May 3, 2011.

VICKI L. KASAD, MMC, ASSISTANT CITY CLERK

(SEAL)

CITY OF ONTARIO

Agenda Report
May 3, 2011

**SECTION:
PUBLIC HEARINGS**

SUBJECT: A PUBLIC HEARING TO CONSIDER CERTIFICATION OF A SUPPLEMENTAL ENVIRONMENTAL IMPACT REPORT FOR FILE NO. PSPA08-006 AND A SPECIFIC PLAN AMENDMENT TO THE GUASTI PLAZA SPECIFIC PLAN

RECOMMENDATION: That the City Council consider and adopt resolutions certifying the Supplemental Environmental Impact Report and approving File No. PSPA08-006 amending the Guasti Plaza Specific Plan to allow for up to 500 residential dwelling units on approximately 13 acres of land located at the southwest corner of Guasti Road and Turner Avenue.

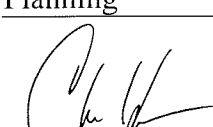
COUNCIL GOALS: Develop Strategies and Take Actions to Minimize the Negative Impacts of the Global Financial Downturn on Ontario's Economy and the City's Fiscal Health
Add Supporting Goals if Applicable

FISCAL IMPACT: None.

BACKGROUND: On August 20, 1996, the City Council approved the Guasti Plaza Specific Plan which addresses the land use and development of approximately 85 acres that once contained the Guasti community. The specific plan area is bounded by the I-10 Freeway to the north, Turner Avenue on the east, the Southern Pacific Railroad easement on the south, and Archibald Avenue on the west. A site map is provided as Exhibit A for reference. The Guasti Plaza Specific Plan area contains a number of historic buildings that are the remnants of the Guasti Winery. The Guasti Plaza Specific Plan identifies allowable land uses, maximum development intensity, preservation and adaptive reuse of historic structures, design guidelines and development standards.

Oliver McMillan, LLC ("Applicant") is requesting approval of an amendment to the Guasti Plaza Specific Plan. The purpose of the proposed Specific Plan Amendment is to allow for the development of up to 500 units within a proposed residential overlay zone as a development alternative to the allowed commercial and office uses. The potential impacts to residents with the residential overlay zone have

STAFF MEMBER PRESENTING: Jerry L. Blum, Planning Director

Prepared by: Clarice Ramey
Department: Planning
City Manager Approval: 

Submitted to Council/O.R.A./O.H.A. 5/3/11
Approved: _____
Continued to: _____
Denied: _____

14

been analyzed through the preparation of a Supplemental Environment Impact Report (SEIR). Due to its location adjacent to a freeway, railroad and the Ontario International Airport, the proposed residential development within the Guasti Plaza Specific Plan could be exposed to impacts that are unable to be reduced to less than significant levels in spite of implementing mitigation measures (see Environmental Review section below). While the City does have the ability to override these impacts, serious consideration must be given to the quality of life/livability available to future residents, in particular, the area south of Old Guasti Road (adjacent to the railroad tracks). As a result of vibration, noise, air quality and proximity to the underground pipeline, staff recommended to the Planning Commission the elimination of residential uses from the southerly area. After considering all aspects of the project, the Planning Commission concurred with staff's recommendation and has recommended residential uses only for the northerly area and that the southerly area remains for commercial uses.

ENVIRONMENTAL REVIEW: The application is a project pursuant to the California Environmental Quality Act (Public Resources Code Section 21000 et seq.) ("CEQA"). With the submittal of the Guasti Plaza Specific Plan Amendment, staff is charged with evaluating the potential impacts of development at the project level. Staff completed an Initial Study for the project and determined that a Supplemental Environmental Impact Report (SEIR) should be prepared for the Guasti Plaza Specific Plan Amendment. Through the Initial Study preparation and scoping meeting discussion, an SEIR (State Clearinghouse No. 2008111072) was prepared evaluating the following topics:

- Aesthetics
- Agricultural Resources
- Air Quality
- Greenhouse Gases and Climate Change
- Biological Resources
- Cultural Resources
- Geology and Soils
- Hazards and Hazardous Materials
- Hydrology and Water Quality
- Land Use and Planning
- Mineral Resources
- Noise
- Population and Housing
- Public Services
- Recreation
- Transportation/Traffic
- Utilities and Service Systems

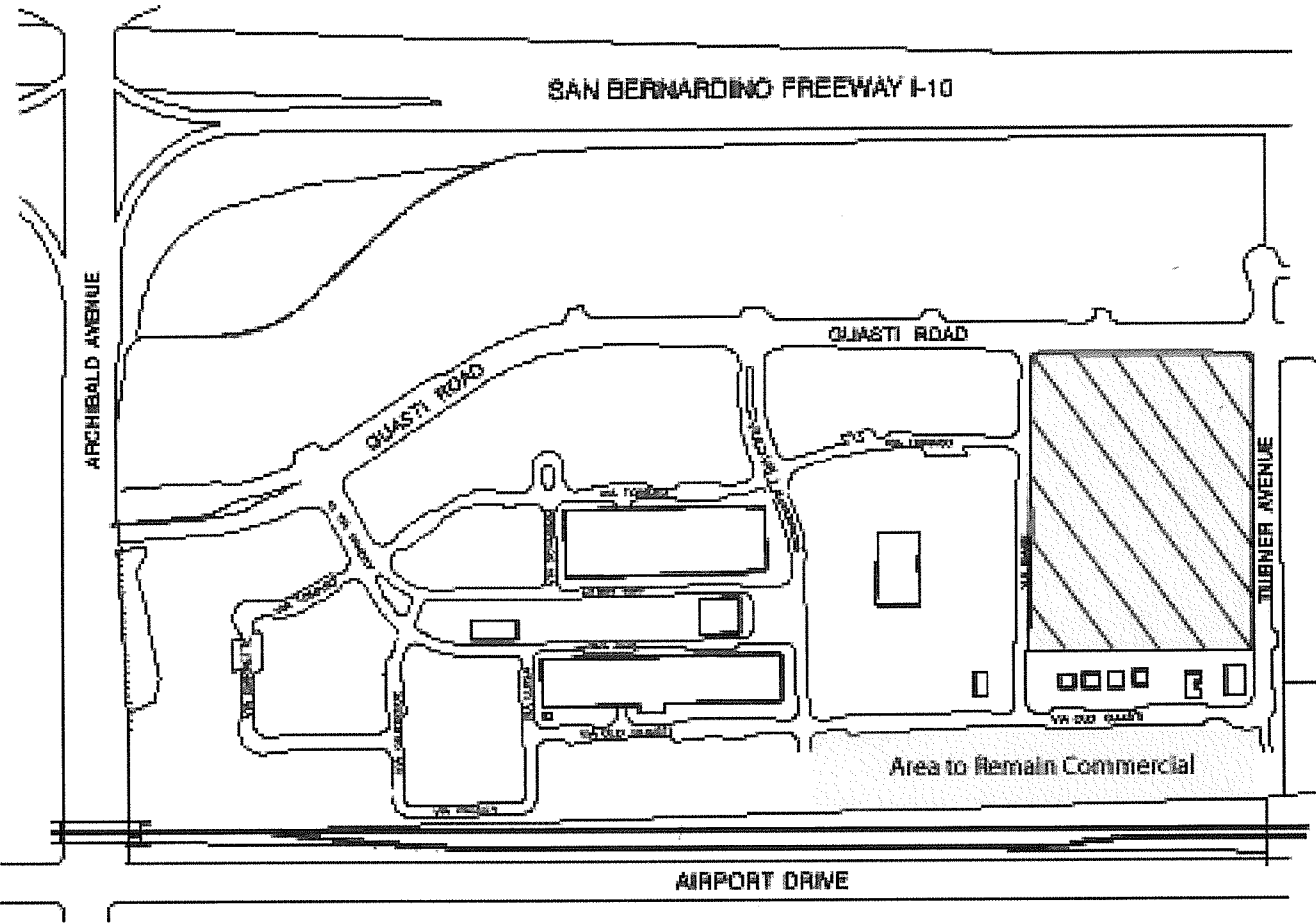
The Guasti Plaza Specific Plan Amendment SEIR evaluates each of the above areas and identifies mitigation measures and/or revisions to the plan to lessen the level of significance. With the implementation of the various mitigation measures, many of the potential adverse impacts can be reduced to a level of less than significant. Of the 17 areas considered by the SEIR, all but four (4) of the impact areas were mitigated to a level of less than significant. The impact areas, even with the mitigation measures, could not be reduced to less than significant, resulting in impacts remaining potentially significant and unavoidable.

These areas include:

- Transportation/Traffic – Short-term significant adverse impact on traffic would occur with future development under the Amendment, until the proposed roadway system is fully built out and other area-wide improvements are implemented by the City.
- Air Quality – Impacts related to inconsistency with the AQMP projections and contributions to existing air quality violations would remain significant and unavoidable.
- Noise – With no feasible and reasonable mitigation measure for exterior noise (freeway, train and aircraft), noise impacts on future residents would remain significant and unavoidable.
- Greenhouse Gases and Climate Change – With implementation of mitigation measures, the proposed Amendment and future residential development would be consistent with plans, policies and regulations that reduce the emissions of greenhouse gases. However, GHG emissions from future residential development would still have the potential to contribute to global warming and climate change impacts and would remain significant and unavoidable.

While mitigation of all potential impacts to a level of less than significant is desirable, the above areas will remain significant and unavoidable. This impact is proposed to be overridden by the merits of the project which will provide land uses that are compatible with surrounding land uses and that are consistent with the policies of the City's General Plan. Therefore, Planning Commission has recommended City Council certification of the SEIR and that a Statement of Overriding Considerations be adopted for the project.

Exhibit A – Residential Overlay Zone



CITY OF ONTARIO

Agenda Report
May 3, 2011

SECTION: PUBLIC HEARINGS

SUBJECT: A JOINT PUBLIC HEARING OF THE ONTARIO CITY COUNCIL AND THE ONTARIO REDEVELOPMENT AGENCY BOARD REGARDING PROPOSED AMENDMENTS TO MERGE THE AGENCY'S EXISTING REDEVELOPMENT PROJECT AREAS AND EXTEND THE TIME LIMIT TO ESTABLISH LOANS, ADVANCES, AND INDEBTEDNESS IN A COMPONENT AREA OF THE PROPOSED MERGED REDEVELOPMENT PROJECT AREA AND ADOPT AN ASSOCIATED MITIGATED NEGATIVE DECLARATION

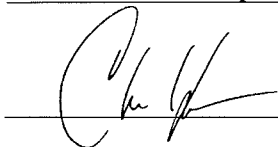
RECOMMENDATION: That the City Council and Ontario Redevelopment Agency Board hold a joint public hearing regarding a proposed Redevelopment Project Area Merger; extension of the time limit to establish loans, advances, and indebtedness in a component area of the proposed Merged Redevelopment Project Area and adopt an associated Mitigated Negative Declaration; and take the following actions:

- (A) The Agency Board consider and adopt a resolution to approve and adopt a Mitigated Negative Declaration and Mitigation Monitoring and Reporting program prepared for the proposed Redevelopment Project Area Merger;
- (B) The Agency Board adopt a resolution authorizing transmittal of proposed amendments to redevelopment plans merging the existing project areas and extending the time limit to incur indebtedness by ten years for the added area of Project Area No. 2; and transmittal of a report to the City Council relating to the proposed amendments and making certain findings related thereto;
- (C) The City Council consider and adopt a resolution to approve and adopt a Mitigated Negative Declaration and Mitigation Monitoring and Reporting program prepared for the proposed Redevelopment Project Area Merger; and
- (D) The City Council introduce and waive further reading of an ordinance to approve and adopt the proposed amendments.

STAFF MEMBER PRESENTING: John Andrews, Economic Development Director

Prepared by: Charity Hernandez
Department: Economic Development

City Manager
Approval: _____



Submitted to Council/O.R.A./O.H.A. 5/3/11

Approved: _____

Continued to: _____

Denied: _____

15

COUNCIL GOALS: Develop Strategies and Take Actions 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
Focus Resources in Ontario's Commercial and Residential Neighborhoods

FISCAL IMPACT: The proposed Redevelopment Project Area Merger will provide greater financial flexibility to achieve the City Council and Agency Board economic development objectives by allowing funds to be distributed through the Merged Project Area. The proposed amendment to extend, by ten (10) years, the limit to establish loans, advances, and indebtedness paid with the proceeds of property taxes received from the Added Area of the Project Area No. 2 Component Area of the proposed Merged Project Area will increase the Agency's ability to incur indebtedness. The proposed merger will not affect the overall property tax dollars collected or received.

BACKGROUND: As Ontario continues its progress in becoming Southern California's next urban center, existing urbanized areas which developed over the City's 125-year history, present unique challenges and opportunities. Core areas of the community remain blighted and deteriorated. The role of the Ontario Redevelopment Agency is to use locally generated resources (without raising taxes or fees) to invest in blighted areas, so that all portions of Ontario can share in the general prosperity of the community. Changes in Ontario's physical geography, economy, and in the conditions of buildings and structures have created a number of areas where blight conditions continue. Ontario's current project areas are located in five geographic areas of the City and comprise approximately 5,735 acres (a location map is provided as Exhibit "A"). Staff has prepared a plan to merge the existing redevelopment project areas, which would allow the cross flow of tax increment generated from each project area to be used amongst the entire Merged Project Area, thus facilitating a more efficient use of tax increment where needed most to eliminate the significant remaining blight and improve housing and business conditions in the Merged Project Area.

Specific goals within the Merged Project Area include the following:

1. Continue the Agency's efforts in eliminating physical and economic blight and attract private investment to the Merged Project Area.
2. Allocate tax increment revenues collected from one project area to another to fund projects and improvements where needed.
3. Consolidate parcels, where practical, that were created long ago which are inappropriate in form, size and shape (and often under dispersed ownership) in relation to the contemporary uses designated in the Ontario General Plan.
4. Replace obsolete infrastructure to assist in the redevelopment of private property within the Merged Project Area.
5. Encourage development of new housing for low- and moderate-income families, often on currently developed but blighted sites and in-fill locations.

The proposed amendments are also intended to expand the supply of low and moderate-income housing; expand job opportunities for jobless, under-employed and low-income persons; reduce the burden of crime; and to provide an environment for the social, economic, and psychological growth and well-being of the community's citizens. More specifically, the proposed merger is intended to protect and promote the sound development of the Merged Project Area and the general welfare of the inhabitants of Ontario

by remedying the identified blighting conditions through the employment of all appropriate means as outlined in Community Redevelopment Law.

In accordance with Section 33352 of the Community Redevelopment Law, every proposed amendment to a redevelopment plan submitted by an Agency to a City Council shall be accompanied by a report including the facts and evidence necessary to support the proposed amendment. All required elements are listed in the Introduction to the Report to the City Council, and the entirety of the report provides substantial evidence of the blighting conditions. The Report to City Council for the proposed amendments and all environmental documents as required by the California Environmental Quality Act are on file in the City's Records Management Department; and the recommended resolutions and ordinance are approved as to form by the Agency's Special Legal Counsel. Accordingly, staff recommends adoption of the subject resolutions and ordinance pursuant to Community Redevelopment Law and the California Environmental Quality Act. If any written objections to the amendment are filed, staff recommends that City Council complete the public testimony and close the Joint Public Hearing at this meeting; and defer introduction of the Ordinance approving the amended Redevelopment Plan to a future meeting to be held May 17, 2011. This will provide staff the opportunity to review any objections and prepare written responses.