

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

Paul S. Leon
Mayor

Sheila Mautz
Mayor pro Tem

Alan D. Wapner
Council Member

Jim W. Bowman
Council Member

Debra Dorst-Porada
Council Member



Chris Hughes
City Manager

John E. Brown
City Attorney

Mary E. Wirtes, MMC
City Clerk

James R. Milhiser
Treasurer

WELCOME to a meeting of the Ontario City Council.

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

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

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

CALL TO ORDER (*OPEN SESSION*)

6:00 p.m.

ROLL CALL

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

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

CLOSED SESSION

- GC 54956.9 (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 Dorst-Porada

INVOCATION

Pastor Mike Urciuoli, Calvary Chapel Ontario

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.

SPECIAL CEREMONIES

RECOGNITION OF SISTER CITIES – GUAMUCHIL, MEXICO

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 June 5, 2012, and approving same as on file in the Records Management Department.

2. BILLS/PAYROLL

Bills May 20, 2012 through June 2, 2012 and **Payroll** May 20, 2012 through June 2, 2012, when audited by the Finance Committee.

3. MAINTENANCE SERVICE AGREEMENT FOR CRACK SEALING SERVICES OF VARIOUS CITY STREETS/SAFE USA

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 11-12-01 with Safe USA of Ontario, California, for an annual cost of \$80,500 plus a 5% contingency of \$4,025; 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.

4. CONSTRUCTION CONTRACT FOR WHISPERING LAKES GOLF COURSE SITE IMPROVEMENTS/JERGENSEN CONSTRUCTION

That the City Council permit a bid withdrawal by Moalej Builders, of Sherman Oaks, California; award a construction contract (on file with the Records Management Department) to Jergensen Construction, of Oak Hills, California, for the Whispering Lakes Golf Course Site Improvements project in the amount of \$619,600 plus a 15% contingency (\$92,940) for a total of \$712,540; and authorize the City Manager to execute said contract and related documents, and file a notice of completion at the conclusion of all construction activities related to the project.

5. AN ORDINANCE AMENDING CHAPTER 24 OF TITLE 5 OF THE ONTARIO MUNICIPAL CODE CONCERNING LODGING REGISTRATION INFORMATION

That the City Council adopt an ordinance amending Chapter 24 of Title 5 of the Ontario Municipal Code (OMC) allowing computerized collection of guest registration information and requiring the collection of reliable identification information by lodging facility operators in the City.

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, AMENDING CHAPTER 24 OF TITLE 5 OF THE ONTARIO MUNICIPAL CODE, WITH CERTAIN AMENDMENTS AND ADDITIONS THERETO RELATING TO HOTEL REGISTER REQUIREMENT.

6. APPROVAL OF THE SECOND SUBSTANTIAL AMENDMENT TO 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 2011-12

That the City Council:

- (A) Approve the proposed Second Substantial Amendment to the One-Year Action Plan for FY 2011-12 ("Substantial Amendment") (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 Second Substantial Amendment to the One-Year Action Plan for FY 2011-12.

7. A RESOLUTION ESTABLISHING LIBRARY MATERIALS POLICIES AND REVISING MATERIAL FEES AND CHARGES

That the City Council adopt a resolution establishing library materials policies revising material fees and charges.

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
ONTARIO, CALIFORNIA, REVISING LIBRARY MATERIAL FEES
AND CHARGES.

COUNCIL MATTERS

**APPOINTMENT TO THE CHINO VALLEY UNIFIED SCHOOL DISTRICT – MEASURE “M”
CITIZENS’ OVERSIGHT COMMITTEE**

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

STAFF MATTERS

City Manager Hughes

ADJOURNMENT

CITY OF ONTARIO
CLOSED SESSION REPORT
City Council / / Housing Authority / / Other / / (GC 54957.1)
July 3, 2012

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

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

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

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

No Reportable Action	Continue	Approved
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/ /	/ /	/ /
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Disposition: _____

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

CITY OF ONTARIO

Agenda Report
July 3, 2012

SECTION:
CONSENT CALENDAR

**SUBJECT: MAINTENANCE SERVICE AGREEMENT FOR CRACK SEALING SERVICES
OF 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 11-12-01 with Safe USA of Ontario, California, for an annual cost of \$80,500 plus a 5% contingency of \$4,025; 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 Crack Sealing Maintenance Service Agreement is \$80,500 plus a 5% contingency of \$4,025 for urgency services for a total annual amount of \$84,525 for each of the first three years. The maintenance cost is funded by the General Fund, and the total amount is consistent with the City's annual base budget appropriations.

At the City's discretion, two additional one-year extensions may be exercised with no increase in rates. 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 May 2012, the City solicited proposals for citywide crack sealing services for various City streets and received three (3) responses. Of the three (3) responses received, one (1) proposal was non-responsive. For comparative purposes, the proposed annual base cost of the remaining proposals ranged from \$80,500 to \$90,850 annually.

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. 7/3/2012

Approved: _____

Continued to: _____

Denied: _____

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Vendor
Road Works, Inc. *
Rubberized Crackfiller
Safe USA

Location
Pomona, CA
Fullerton, CA
Ontario, CA

* *Bid proposal was incomplete and therefore deemed non-responsive*

Safe USA located in Ontario, California, submitted a proposal that met all the required specifications with a base cost, three-year total of \$241,500. Based on their proposal, credentials, pricing and favorable references, staff recommends award of a Maintenance Services Agreement to Safe USA.

CITY OF ONTARIO

Agenda Report
July 3, 2012

SECTION:
CONSENT CALENDAR

**SUBJECT: CONSTRUCTION CONTRACT FOR WHISPERING LAKES GOLF COURSE
SITE IMPROVEMENTS**

RECOMMENDATION: That the City Council permit a bid withdrawal by Moalej Builders, of Sherman Oaks, California; award a construction contract (on file with the Records Management Department) to Jergensen Construction, of Oak Hills, California, for the Whispering Lakes Golf Course Site Improvements project in the amount of \$619,600 plus a 15% contingency (\$92,940) for a total of \$712,540; and authorize the City Manager to execute said contract and related documents, 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)
Encourage, Provide or Support Enhanced Recreational, Educational, Cultural and Healthy City Programs, Policies and Activities

FISCAL IMPACT: The Fiscal Year 2011-12 Capital Improvement Program Budget includes appropriations of \$778,856 from the Capital Projects Fund for construction on the Whispering Lakes Golf Course Improvements project. The recommended contract is \$619,600 plus a fifteen percent (15%) contingency of \$92,940, for a total of \$712,540.

BACKGROUND: In September 2007, staff worked with Rainville & Bye Golf Course Architects and Economic Research Associates to prepare and develop a Master Plan for the Whispering Lakes Golf Course. The Master Plan recommended the replacement of the 50 year old dilapidated clubhouse with a new mobile office building/clubhouse and restroom facility. Along with the replacement of the clubhouse, other project improvements will include an attached concrete decking with overhead wooden trellis; construction of a clubhouse interior snack bar, pro shop, food prep area, and storing; replacement of the existing electrical system; grading installation of water, gas and sewer utilities; miscellaneous concrete work and landscaping enhancements to the front entry road and around the new clubhouse.

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. 7/3/2012

Approved: _____

Continued to: _____

Denied: _____

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In January 2012, the City solicited bids for construction of the Whispering Lakes Golf Course Improvements project, and four (4) bids were received. On May 15, 2012, City Council awarded the contract to Moalej Builders of Sherman Oaks, California. Prior to the issuance of a Notice to Proceed, Moalej Builders submitted a certified letter requesting that the award of contract be withdrawn due to their inability to honor the original bid amount. Jergensen Constructions, as the second lowest bidder, met all the required specifications and based on their proposal, credentials, and favorable references, staff recommends award of contract to Jergensen Construction of Oak Hills, California.

<u>Vendor</u>	<u>Location</u>	<u>Proposed Amount</u>
Broughton Construction	Rancho Cucamonga, CA	\$689,250
DELT Builders, Inc.	Rancho Cucamonga, CA	\$687,200
Jergensen Construction	Oak Hills, CA	\$619,600
Moalej Builders	Sherman Oaks, CA	\$543,000*

*Bid withdrawn by bidder.

CITY OF ONTARIO

Agenda Report
July 3, 2012

SECTION:
CONSENT CALENDAR

SUBJECT: AN ORDINANCE AMENDING CHAPTER 24 OF TITLE 5 OF THE ONTARIO MUNICIPAL CODE CONCERNING LODGING REGISTRATION INFORMATION

RECOMMENDATION: That the City Council adopt an ordinance amending Chapter 24 of Title 5 of the Ontario Municipal Code (OMC) allowing computerized collection of guest registration information and requiring the collection of reliable identification information by lodging facility operators in the City.

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 Levels of Public Safety

FISCAL IMPACT: None.

BACKGROUND: At the meeting of June 19, 2012, the City Council introduced and waived further reading of an ordinance amending Chapter 24 of Title 5 of the Ontario Municipal Code (OMC) allowing computerized collection of guest registration information and requiring the collection of reliable identification information by lodging facility operators in the City. The proposed amendments to OMC Section 5-24.02 will give operators of lodging facilities within the City of Ontario the option of collecting required guest registration information in a computerized manner. The current provisions of OMC Section 5-24.02 require that lodging facilities maintain a written register that has the name, home address, vehicle information and a printed name and signature of the guest or person renting or occupying a room or rooms; and does not give the option to maintain these guest registers in an automated system. The collection of a driver's license number or equivalent reliable identification number may assist in the resolution of certain police cases and the apprehension of dangerous offenders. Most of the local lodging facilities and all of the major operators already use a computerized system for collecting registration information and favor the proposed ordinance amendments.

STAFF MEMBER PRESENTING: Eric Hopley, Chief of Police

Prepared by: Darryl Polk
Department: Police

City Manager
Approval: 

Submitted to Council/O.H.A. 7/3/2012

Approved: _____

Continued to: _____

Denied: _____

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ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ONTARIO,
CALIFORNIA, AMENDING CHAPTER 24 OF TITLE 5 OF THE ONTARIO
MUNICIPAL CODE, WITH CERTAIN AMENDMENTS AND ADDITIONS
THERE TO RELATING TO HOTEL REGISTER REQUIREMENT.

WHEREAS, the City of Ontario, pursuant to the police powers delegated to it by the California Constitution, has the authority to enact laws which promote the public health, safety and general welfare of its citizens; and

WHEREAS, current provisions in Chapter 24, Title 5 of the City of Ontario Municipal Code require public lodging facilities in the City to maintain a written register consisting of the name, home address, printed and signed name, and vehicle information of each guest or person renting or occupying a room or rooms. Additionally, the register is to be kept in a conspicuous place in the public lodging facility and open to inspection at all times by any police officer and by any designated representative of the City; and

WHEREAS, the collection of a driver's license or other reliable identification is currently not required in this Code. Without reliable identification or a driver's license, the identity of a person with a common name cannot be confirmed, which could jeopardize the investigation of cases or apprehension of dangerous offenders; and

WHEREAS, the City Council of the City of Ontario finds and declares that the purpose of this Ordinance is:

- (a) To provide public lodging facilities in the City the option to computerize their guest registers, which may improve these facilities' productivity; and
- (b) To allow for the collection of driver's license or other reliable identification number from all guests of the lodging facility to assist law enforcement personnel in their investigation of cases and apprehension of dangerous offenders.

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

SECTION 1. Chapter 24 of Title 5, of the Ontario Municipal Code is amended in its entirety to read as follows:

"Chapter 24 REGULATION OF PUBLIC LODGING FACILITIES"

Section 5-24.01 Register required.

For purposes of this chapter, unless otherwise apparent from the context, certain words and phrases used herein are defined as follows:

- (a) "Public lodging facility" means any hotel, motel or residence inn as the same are or may hereinafter be defined in Article 2 of Chapter 1 of Title 9 of this Code.
- (b) "Operator" means any person engaged in management or operation of a public lodging facility within the City.

Section 5-24.02 Register required.

Every operator of any public lodging facility in the City shall at all times keep and maintain a register, computerized or handwritten, wherein all guest names are recorded upon their procurement of a room. The operator shall verify the identity of the person procuring the room with a valid driver's license or other reliable photo identification and shall record the driver's license number or identification number and the state which issued the identification next to the person's signature. The register shall also show the date and time the room was procured, the home address of each guest or person renting or occupying a room or rooms, and the make, year, and license number of the vehicle of such person, and the state in which such vehicle is licensed. Until all of the aforesaid entries have been made in such register, no guest shall be permitted to occupy any room in such public lodging facility. The operator of such facility, or his or her agent, shall record opposite such name or names so registered the number of each room assigned to and occupied by each such guest.

Section 5-24.03 Inspection of register.

The register shall be kept in a conspicuous place in the public lodging facility and shall at all times be open to inspection by any police officer and by any designated representative of the City.

Section 5-24.04 Violations: Penalties.

It shall be unlawful for any owner, operator or manager of a hotel or motel in the City to permit any violation of any provision of this chapter or to fail to comply with any requirement of this chapter. Any owner, operator or manager violating any such provision or failing to comply with any such requirement of this chapter shall be guilty of provisions of this chapter shall be punishable as provided in 1-2.01 of this Code.

SECTION 2. The Mayor shall sign this Ordinance and the City Clerk shall certify as to the adoption and shall cause a summary thereof to be published at least once, in a newspaper of general circulation in the City of Ontario, California within fifteen (15) days of the adoption. The City Clerk shall post a certified copy of this ordinance, including the vote for and against the same, in the office of the City Clerk, in accordance with Government Code Section 36933.

PASSED, APPROVED, AND ADOPTED this _____ day of _____ 2012.

PAUL S. LEON, MAYOR

ATTEST:

MARY E. WIRTES, MMC, CITY CLERK

APPROVED AS TO FORM:

BEST BEST & KRIEGER LLP
CITY ATTORNEY

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

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

AYES: COUNCIL MEMBERS:

NOES: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

MARY E. WIRTES, MMC, CITY CLERK

(SEAL)

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

MARY E. WIRTES, MMC, CITY CLERK

(SEAL)

CITY OF ONTARIO

Agenda Report
July 3, 2012

SECTION:
CONSENT CALENDAR

SUBJECT: APPROVAL OF THE SECOND SUBSTANTIAL AMENDMENT TO 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 2011-12

RECOMMENDATION: That the City Council:

- (A) Approve the proposed Second Substantial Amendment to the One-Year Action Plan for FY 2011-12 ("Substantial Amendment") (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 Second Substantial Amendment to the One-Year Action Plan for FY 2011-12.

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: The approval of the Substantial Amendment has no fiscal impact and does not change the overall project estimates or budget.

BACKGROUND: A Substantial Amendment is required to amend the One-Year Action Plan for FY 2011-12 for the following proposed changes to the existing Mercy House Acquisition Project:

The existing Mercy House Acquisition Project has been developed to assist in the implementation of the Mercy House Services Continuum of Care Program (the

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

Prepared by: Jamie Richardson
Department: Housing

City Manager
Approval: 

Submitted to Council/O.H.A. 7/3/2012

Approved: _____

Continued to: _____

Denied: _____

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“Continuum”). The Continuum has been designed to enhance the homeless services available within Ontario and provide needed resources to fill identified gaps within the current delivery of homeless services. Staff is recommending this substantial change to the FY 2011-2012 One-year Action Plan to change this activity from new construction to rehabilitation and to change the location to 435 S. Bon View Avenue.

These proposed changes qualify as a substantial amendment and require that the City of Ontario formally amend the FY 2011-12 One-Year Action Plan.

The draft Substantial Amendment was available for public review from May 18, 2012 through June 18, 2012. No public comments were received during the public review period. Subsequent to City Council approval, the plan will be submitted to the U.S. Department of Housing and Urban Development.

CITY OF ONTARIO

Agenda Report
July 3, 2012

SECTION:
CONSENT CALENDAR

SUBJECT: A RESOLUTION ESTABLISHING LIBRARY MATERIALS POLICIES AND REVISING MATERIAL FEES AND CHARGES

RECOMMENDATION: That the City Council adopt a resolution establishing library materials policies revising material fees and charges.

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

FISCAL IMPACT: If approved, the recommended action would result in the consolidation and elimination of several fee and fine categories with a minor decrease (\$800 overall) in the estimated fine revenues collected per year. The fee structure streamlining, however, will provide better customer service and staff efficiencies through administering, maintaining and updating fewer fee categories.

BACKGROUND: Library staff reviewed the current fee structure and amounts and determined that there were too many different fee and fine categories which lead to customer confusion and the inefficient administration of fees and charges. Consolidating the fee schedule will simplify circulation checkout for both staff and customers and will provide consistency throughout the various library divisions. On May 8, 2012, the Library Board reviewed the proposed library material policies, procedures and fees and recommended that they be submitted to the City Council for adoption. The revised schedule of material fees and charges will become effective on July 13, 2012 prior to the implementation of the Library's new Polaris System which will improve overall customer service.

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

Prepared by: Helen Fisher
Department: Library

City Manager
Approval: 

Submitted to Council/O.H.A. 7/3/2012

Approved: _____

Continued to: _____

Denied: _____

7

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO,
CALIFORNIA, REVISING LIBRARY MATERIAL FEES AND CHARGES.

WHEREAS, the City Council of the City of Ontario is empowered to implement reasonable fees and charges for library materials in recognition of the need to simplify and make consistent circulation policies for customers; and

WHEREAS, it is the intention of the City Council that the revised fees and charges herein shall cover, but not exceed, the estimated reasonable cost of providing the service for material circulation to our customers; and to define the material checkout limits and fee amounts; and,

WHEREAS, based upon estimated circulation service costs provided, the City Council hereby determines that the fees and charges established herein assist with covering, but not exceeding, the reasonable cost for providing the service within the fee is charged; and

WHEREAS, in accordance with Government Code Section 66000, et seq., a copy of the proposed fees and charges has been made available for inspection by the public at Ontario City Hall for 10 days prior to the adoption of this Resolution.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF ONTARIO DOES HEREBY RESOLVE:

SECTION 1. The above recitals are true and correct

SECTION 2. The Library material fees and charges contained are as follows:

Type of Item	Check-out Length	Limit per card*	Daily overdue fine	Renewals	Max Overdue
Book, magazine, everything except DVD/Blu-Ray (free checkout)	21 days	25	\$0.15	1	\$5
Educational/TV DVD (free checkout)	7 days	25	\$1.00	1	\$10
Feature Film DVD (with Rental fee of \$1.00 per 2 days)	2 days	5	\$1.00	1	\$10
Lost/Unreturned Items	Max Overdue plus Item Replacement Cost				

*Total items available for each card is 25 - including up to 5 feature films

SECTION 3. The fees, charges and limits set forth in Section 2 will take effect on July 15, 2012.

SECTION 4. The above fees, charges and limits shall be effective on July 13, 2012 for all Library materials when applicable upon adoption of this Resolution.

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

PASSED, APPROVED, AND ADOPTED this 3rd day of July 2012.

PAUL S. LEON, MAYOR

ATTEST:

MARY E. WIRTES, MMC, CITY CLERK

APPROVED AS TO LEGAL FORM:

BEST BEST & KRIEGER LLP
CITY ATTORNEY

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

I, MARY E. WIRTES, City Clerk of the City of Ontario, DO HEREBY CERTIFY that foregoing Resolution No. 2012- was duly passed and adopted by the City Council of the City of Ontario at their regular meeting held July 3, 2012 by the following roll call vote, to wit:

AYES: COUNCIL MEMBERS:

NOES: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

MARY E. WIRTES, MMC, CITY CLERK

(SEAL)

The foregoing is the original of Resolution No. 2012- duly passed and adopted by the Ontario City Council at their regular meeting held July 3, 2012.

MARY E. WIRTES, MMC, CITY CLERK

(SEAL)