

CITY OF ONTARIO
CITY COUNCIL, REDEVELOPMENT AGENCY,
AND HOUSING AUTHORITY
AGENDA
JULY 5, 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 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, 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: Ontario Town Square – Block C-1, APN: 1048-551-01 through 1048-551-09;
City/Agency/Authority Negotiator: Chris Hughes, Executive Director, or his designee; Negotiating parties: Snyder Euclid, Inc.; Under negotiation: Price and terms of payment.

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

PLEDGE OF ALLEGIANCE

Council Member Wapner

INVOCATION

Reverend Michael Sturn, St. George Catholic 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 June 7, 2011, and approving same as on file in the Records Management Department.

2. BILLS/PAYROLL

Bills April 24, 2011 through May 21, 2011 and **Payroll** April 24, 2011 through May 21, 2011, when audited by the Finance Committee.

3. CONSTRUCTION CONTRACT FOR EECBG AND CDBG ENERGY EFFICIENT STREET LIGHT PROJECT/REPUBLIC INTELLIGENT TRANSPORTATION SERVICES INC. DBA REPUBLIC ITS

That the City Council approve the plans and specifications, and award Contract No's. GR0936A and GR0910A (on file in the Records Management Department) to Republic Intelligent Transportation Services Inc. dba Republic ITS of Anaheim, California, for the EECBG and CDBG Energy Efficient Street Light Project for the bid amount \$547,992 plus a twenty one (21%) percent contingency of \$115,078 for a total of \$663,070 which includes \$94,251 for Contract Change Order No. 1; 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.

4. COOPERATIVE FUNDING AGREEMENTS FOR RAIL-HIGHWAY GRADE SEPARATION PROJECTS/SAN BERNARDINO ASSOCIATED GOVERNMENTS

That the City Council approve two (2) cooperative agreements totaling \$5,821,000 (on file in the Records Management Department) with the San Bernardino Associated Governments (SANBAG) for funding the Right of Way (ROW) phase of the South Milliken Avenue and North Vineyard Avenue Rail-Highway Grade Separation Projects, and authorize the City Manager to execute said agreements and future amendments to the agreements.

5. AN AMENDMENT TO THE MAINTENANCE SERVICE AGREEMENT FOR THERMOPLASTIC LANE STRIPING AND STREET SIGN INSTALLATION SERVICES/SUPERIOR PAVEMENT MARKINGS, INC.

That the City Council authorize the City Manager to execute an amendment (on file with Records Management Department) for a three-year maintenance service agreement with Superior Pavement Markings, Inc., located in Cypress, California, for thermoplastic striping and street sign installation services in the amount of \$62,595 per year for a revised total agreement amount of \$221,285; and authorize the addition of future services and the option to extend the agreement for up to two additional years consistent with the City Council approved budgets.

6. APPROVAL OF ALLOCATION AND SPENDING PLAN FOR THE BUREAU OF JUSTICE ASSISTANCE (BJA) EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT (JAG) PROGRAM FOR FY2011

That the City Council authorize the City Manager to execute all documents necessary to participate in the BJA Edward Byrne Memorial Justice Assistance Grant (JAG) Program; and approve the proposed \$70,917 grant spending plan.

PUBLIC HEARINGS

7. REVIEW OF FILE NO. PDEV10-013, A DEVELOPMENT PLAN MODIFICATION TO A PREVIOUSLY APPROVED PROJECT LOCATED AT THE NORTHEAST CORNER OF MOUNTAIN AVENUE AND FOURTH STREET TO ALLOW FOR THE PHASING OF THE DEVELOPMENT

That the City Council review, discuss, and take final action on File No. PDEV10-013, to allow for the phasing of the previously approved project at the northeast corner of Mountain Avenue and Fourth Street, subject to the departmental conditions of approval. Phase I will include the development of a 13,570 square foot Walgreens pharmacy and the remodel of an existing 4,110 square foot United States Postal Office; and Phase II will include 6,159 square feet of retail and 177 market rate senior housing units (APN: 1008-522-01, 02 & 03).

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. PDEV10-013, A DEVELOPMENT PLAN MODIFICATION TO A PREVIOUSLY APPROVED PROJECT TO ALLOW FOR THE PHASING OF THE DEVELOPMENT. PHASE I WILL INCLUDE THE DEVELOPMENT OF A 13,570 SQUARE FOOT WALGREENS AND THE REMODEL OF AN EXISTING 4,110 SQUARE FOOT UNITED STATES POSTAL OFFICE. PHASE 2 WILL INCLUDE 6,159 SQUARE FEET OF RETAIL AND 177 MARKET RATE SENIOR HOUSING UNITS, AND MAKING FINDINGS IN SUPPORT THEREOF – APN: . 1008-522-01, 02 & 03.

8. AN AMENDMENT TO THE CENTRELAKE BUSINESS PARK SPECIFIC PLAN CHANGING THE LAND USE DESIGNATION OF APPROXIMATELY 6 ACRES FROM COMMERCIAL/HOTEL TO OFFICE/R-D

That the City Council adopt a resolution approving File No. PSPA11-001, amending the Centrelake Business Park Specific Plan changing the land use designation of approximately 6 acres from Commercial/Hotel to Office/R-D for property generally located along the north side of Guasti Road within the Centrelake Business Park Specific Plan (APN: 210-551-170 & 210-551-180).

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. PSPA11-001, AN AMENDMENT TO THE CENTRELAKE BUSINESS PARK SPECIFIC PLAN CHANGING THE LAND USE DESIGNATION OF APPROXIMATELY 6 ACRES FROM COMMERCIAL/HOTEL TO OFFICE/R-D FOR PROPERTY GENERALLY LOCATED ALONG THE NORTH SIDE OF GUASTI ROAD WITHIN THE CENTRELAKE BUSINESS PARK SPECIFIC PLAN, AND MAKING FINDINGS IN SUPPORT THEREOF – APN: 210-551-170 & 210-551-180.

9. AN AMENDMENT TO FILE NO. PSPA11-002, THE CREEKSIDE SPECIFIC PLAN, CHANGING PARKING REQUIREMENTS WITHIN CUL-DE-SACS AND KNUCKLES

That the City Council adopt a resolution approving File No. PSPA11-002 amending the Creekside Specific Plan to eliminate the requirement for "No Parking" signs and associated red-painted curbs within all cul-de-sacs and knuckles, and add a requirement to red-paint all islands within the cul-de-sacs and knuckles within the Creekside residential community generally located north of Riverside Drive, south of State Route CA-60, east of Turner Avenue, and west of Milliken 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, APPROVING FILE NO. PSPA11-002, AN AMENDMENT TO THE CREEKSIDE SPECIFIC PLAN TO ELIMINATE THE REQUIREMENT FOR "NO PARKING" SIGNS AND ASSOCIATED RED-PAINTED CURBS WITHIN ALL CUL-DE-SACS AND KNUCKLES, AND ADD A REQUIREMENT TO RED-PAINT ALL ISLANDS WITHIN THE CUL-DE-SACS AND KNUCKLES WITHIN THE CREEKSIDE RESIDENTIAL COMMUNITY, WHICH IS GENERALLY LOCATED NORTH OF RIVERSIDE DRIVE, SOUTH OF STATE ROUTE CA-60, EAST OF TURNER AVENUE, AND WEST OF MILLIKEN AVENUE, AND MAKING FINDINGS IN SUPPORT THEREOF.

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)

July 5, 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: Ontario Town Square – Block C-1, APN: 1048-551-01 through 1048-551-09;
City/Agency/Authority Negotiator: Chris Hughes, Executive Director, or his designee;
Negotiating parties: Snyder Euclid, Inc.; Under negotiation: Price and terms of
payment.

No Reportable Action	Continue	Approved
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Disposition: _____

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

CITY OF ONTARIO

Agenda Report
July 5, 2011

SECTION:
CONSENT CALENDAR

SUBJECT: CONSTRUCTION CONTRACT FOR EECBG AND CDBG ENERGY EFFICIENT STREET LIGHT PROJECT

RECOMMENDATION: That the City Council approve the plans and specifications, and award Contract No's. GR0936A and GR0910A (on file in the Records Management Department) to Republic Intelligent Transportation Services Inc. dba Republic ITS of Anaheim, California, for the EECBG and CDBG Energy Efficient Street Light Project for the bid amount \$547,992 plus a twenty one (21%) percent contingency of \$115,078 for a total of \$663,070 which includes \$94,251 for Contract Change Order No. 1; 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 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 Fiscal Year 2011-12 budget includes the following appropriations for this energy efficient street lighting project: \$186,173 of CDBG funds and \$478,881 of EECBG funds.


BACKGROUND: The Energy Efficiency Conversion Block Grant Program (EECBG) Energy Efficient Street Light Project includes replacement of 1,045 existing High Pressure Sodium (HPS) luminaires with Light Emitting Diode (LED) luminaires. The CDBG Energy Efficient Street Light Project will replace 445 existing HPS luminaires. The City has an additional \$93,351 available from EECBG funds that could be used to replace the existing HPS luminaires with LED luminaires. To take advantage of the additional funds, staff reviewed pricing with Republic ITS to replace an additional 266 lamps with LED units. The requested higher than usual 21% contingency includes the resulting change order amount. Location maps are attached for reference as Exhibits "A" and "B". It is anticipated that construction will start in September 2011 and be completed by November 2011.

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

Prepared by: Harold F. Reehs Jr.

Department: Engineering

City Manager

Approval: 

Submitted to Council/O.R.A./O.H.A. 07 / 05 / 2011

Approved: _____

Continued to: _____

Denied: _____

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In May 2011, the City solicited bids for this project; and six (6) bids were received. Republic ITS submitted the lowest responsive bid (see summary). Republic ITS has previously performed similar work for the City of Ontario in a satisfactory manner.

The bid results are:

COMPANY	LOCATION	AMOUNT
Republic ITS	Anaheim, CA	\$547,992
Sierra Pacific Electrical	Riverside CA	\$592,646
Flatiron Electric Group	Chino, CA	\$619,556
Steiny & Company, Inc.	Baldwin Park, CA	\$646,483
VT Electric, Inc.	Upland, CA	\$770,574
Pacific Electric Lighting	Beaumont, CA	\$997,474

CITY OF ONTARIO

Agenda Report
July 5, 2011

SECTION:
CONSENT CALENDAR

SUBJECT: COOPERATIVE FUNDING AGREEMENTS FOR RAIL-HIGHWAY GRADE SEPARATION PROJECTS

RECOMMENDATION: That the City Council approve two (2) cooperative agreements totaling \$5,821,000 (on file in the Records Management Department) with the San Bernardino Associated Governments (SANBAG) for funding the Right of Way (ROW) phase of the South Milliken Avenue and North Vineyard Avenue Rail-Highway Grade Separation Projects, and authorize the City Manager to execute said agreements and future amendments to the 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
Invest in the City's Infrastructure (Water, Streets, Sewers, Parks, Storm Drains and Public Facilities)

FISCAL IMPACT: The adopted FY 2011-12 Budget includes appropriations for the ROW phase of the South Milliken Avenue and North Vineyard Avenue Rail-Highway Grade Separation Projects. The cooperative funding agreements with SANBAG will utilize Measure I Funds on a reimbursement basis.

For the South Milliken Avenue Project, SANBAG's share is 80% of the actual expenses on a reimbursement basis with a not to exceed amount of \$4,176,800. The City's share is 20% of the actual expenses which is estimated to be \$1,044,200 with \$772,708 from Old Model Colony Developer Impact Fee (OMC DIF) funds and \$271,492 from New Model Colony Developer Impact Fee (NMC DIF) funds. The funding split is in accordance with the City's adopted DIF Program and SANBAG's approved Measure I Nexus Study.

For the North Vineyard Avenue Project, SANBAG's share is 80% of the actual expenses on a reimbursement basis with a not to exceed amount of \$480,000. The City's share is 20% of the actual expenses which is estimated to be \$120,000 with funds from OMC DIF. The funding split is in accordance with the City's adopted DIF Program and SANBAG's approved Measure I Nexus Study.

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

Prepared by: Jay Bautista

Department: Engineering

City Manager
Approval:



Submitted to Council/O.R.A./O.H.A. 07/05/2011

Approved: _____

Continued to: _____

Denied: _____

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BACKGROUND: In June 2008, SANBAG and the City entered into cooperative funding agreements for the Project Approval/Environmental Document (PA&ED) phase of the projects. The PA&ED phase for both projects are complete; and the Environmental Document was approved in June 2010. In June 2010, SANBAG and the City approved cooperative funding agreements for the Plans, Specifications and Estimates (PS&E) phase of the projects. With progress on the PS&E at approximately 60% for both projects, SANBAG and the City have now identified the roles and responsibilities of the two agencies in developing and funding the ROW phase of the projects. The two (2) subject cooperative funding agreements are for the ROW phase only. Subsequent agreements will be required for the Construction phase following ROW.

CITY OF ONTARIO

Agenda Report
July 5, 2011

SECTION:
CONSENT CALENDAR

SUBJECT: AN AMENDMENT TO THE MAINTENANCE SERVICE AGREEMENT FOR THERMOPLASTIC LANE STRIPING AND STREET SIGN INSTALLATION SERVICES

RECOMMENDATION: That the City Council authorize the City Manager to execute an amendment (on file with Records Management Department) for a three-year maintenance service agreement with Superior Pavement Markings, Inc., located in Cypress, California, for thermoplastic striping and street sign installation services in the amount of \$62,595 per year for a revised total agreement amount of \$221,285; and authorize the addition of future services and the option to extend the agreement for up to two additional years consistent with the City Council approved budgets.


COUNCIL GOALS: Develop Strategies and Take Action 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 Fiscal Year 2011-12 Adopted Budget includes General Fund appropriations for thermoplastic lane striping and street sign installation services; however, expenditures will be based on fixed unit prices and the actual need for services. The initial term of the agreement was from April 2011 through June 2011. The estimated annual cost of the proposed amendment is \$62,595 for each of the three years for a revised total agreement of \$221,285.

At the City's discretion, up to two additional one-year extensions may be exercised; and the optional years include price adjustments not-to exceed the change in the Consumer Price Index (CPI). Future contracting actions will be commensurate with the City Council authorized work programs and budgets. Contracting for a 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: The contract scope of services provides for the restriping of faded and heavily traveled intersections and streets, continuing a 5 year cycle on maintaining thermoplastic school zone

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.R.A./O.H.A. 07/05/2011

Approved: _____

Continued to: _____

Denied: _____

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crosswalks (approximately 40 per year), programmed restriping of large street legends throughout the City, and installation of thermoplastic material or paint striping on an as-needed basis. Thermoplastic and paint striping maintenance is generally scheduled during non-peak traffic hours to reduce the impacts of shutting down major intersections or roadways.

During March 2011, as a result of the prior contractor discontinuing thermoplastic lane striping and street sign installation services, staff reviewed options for continuing these services and issued a request for proposals (RFP).

Proposals were received from three vendors, as listed below.

Vendor	Location
Blue Sky Remediation Services	City of Industry, CA
J. P. Striping, Inc.	Beaumont, CA
Superior Pavement Markings, Inc.	Cypress, CA

Staff reviewed the proposals and selected Superior Pavement Markings, Inc. to perform services on a month-to-month basis during an evaluation period to cover the remainder of Fiscal Year 2010-11. Superior Pavement Markings, Inc. was selected based on their proposal, experience, expertise, references and pricing. The RFP called for an initial term through June 30, 2011 plus three years, with the provision to extend the contract at the City's discretion. During the evaluation period, Superior Pavement Markings, Inc. was found to have met all the required RFP specifications and has successfully performed thermoplastic striping and street sign installation services during Fiscal Year 2010-11. Staff therefore recommends continuation of the agreement for the RFP-contemplated three year term.

CITY OF ONTARIO

Agenda Report
July 5, 2011

SECTION:
CONSENT CALENDAR

SUBJECT: APPROVAL OF ALLOCATION AND SPENDING PLAN FOR THE BUREAU OF JUSTICE ASSISTANCE (BJA) EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT (JAG) PROGRAM FOR FY2011

RECOMMENDATION: That the City Council authorize the City Manager to execute all documents necessary to participate in the BJA Edward Byrne Memorial Justice Assistance Grant (JAG) Program; and approve the proposed \$70,917 grant spending plan.

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: Upon approval and receipt of the grant award, a separate Grant Identification Number will be established to record, monitor and report on the financial activities of this grant award. The total grant award is \$74,649, of which 5% (\$3,732) will be assigned to the Law & Justice Group of San Bernardino County for administrative fees, resulting in a net award to the City in the amount of \$70,917. This is a one-time allocation with no local matching funds requirement, and grant expenditures must be completed within the four-year grant period. If approved, the associated revenue and expenditure adjustments will be included in the corresponding quarterly budget report to the City Council.

BACKGROUND: The Bureau of Justice Assistance has announced the availability of grant funds through the Edward Byrne Memorial JAG Program. Ontario has participated in the JAG Program (formerly the Local Law Enforcement Block Grant) since 1997. Grant allocations are predetermined through a formula based on population and crime statistics. Ontario has been allocated \$74,649 for FY 2011-12. Under the JAG legislation, the County of San Bernardino will act as the fiscal agent for disbursement of the funds.

STAFF MEMBER PRESENTING: Eric Hopley, Chief of Police

Prepared by: Donna Bailey

Department: Police

City Manager
Approval:



Submitted to Council/O.R.A./O.H.A. 07/05/2011

Approved: _____

Continued to: _____

Denied: _____

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The Police Department continues to identify grants and outside funding sources to be used in conjunction with the Firearms Training Project. This four-year federal grant award from BJA will fund the following:

• Simunition, Ammunition and Protective Gear	\$40,917
• Portable Range Storage	15,000
• Portable Sanitation Support Equipment	15,000
TOTAL	<u>\$70,917</u>

CITY OF ONTARIO

Agenda Report
July 5, 2011

**SECTION:
PUBLIC HEARINGS**

SUBJECT: REVIEW OF FILE NO. PDEV10-013, A DEVELOPMENT PLAN MODIFICATION TO A PREVIOUSLY APPROVED PROJECT LOCATED AT THE NORTHEAST CORNER OF MOUNTAIN AVENUE AND FOURTH STREET TO ALLOW FOR THE PHASING OF THE DEVELOPMENT

RECOMMENDATION: That the City Council review, discuss, and take final action on File No. PDEV10-013, to allow for the phasing of the previously approved project at the northeast corner of Mountain Avenue and Fourth Street, subject to the departmental conditions of approval. Phase I will include the development of a 13,570 square foot Walgreens pharmacy and the remodel of an existing 4,110 square foot United States Postal Office; and Phase II will include 6,159 square feet of retail and 177 market rate senior housing units (APN: 1008-522-01, 02 & 03).

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
Operate in a Businesslike Manner
Focus Resources in Ontario's Commercial and Residential Neighborhoods

FISCAL IMPACT: Development of the site will increase property values thereby increasing property tax revenue received by the City. Additionally, the retail component will provide sales tax revenue to the City.

BACKGROUND: On September 25, 2007, the Ontario Planning Commission approved several entitlements for the project site consisting of the following:


- A Development Plan (File No. PDEV05-072) to construct a mixed-use project consisting of 177 market-rate senior housing units, 19,729 sq. ft. of commercial space, and the remodel of an existing post office;

STAFF MEMBER PRESENTING: Jerry L. Blum, Planning Director

Prepared by: Luis E. Batres

Department: Planning

City Manager

Approval: 

Submitted to Council/O.R.A./O.H.A. 07/05/2011

Approved: _____

Continued to: _____

Denied: _____

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- A Conditional Use Permit (File PCUP05-045) to allow senior housing;
- A Conditional Use Permit (File No. PCUP06-031) to allow a drive-thru for the Walgreens pharmacy; and
- A Tentative Parcel Map (File No. PMTT05-032) to subdivide approximately 5.8 acres into 4 parcels.

In September 2010, the applicant (JAFAM Corporation) submitted a request to modify their previous approval to allow for the phasing of the development. Due to current economic conditions, the applicant is continuing to work on funding for the residential component of the project but as yet is unable to secure a loan. With Walgreens being ready to proceed with their building, the applicant proposed a plan that would break the project into two phases. Phase I will include the development of the 13,570 sq. ft. Walgreens pharmacy, the remodel of the existing 4,110 sq. ft. post office, the widening of Mountain Avenue, and the repainting of the remaining structures. Phase I will also include upgrades to any remaining landscaping areas and the upgrade of any damaged signs. Phase II is proposed to include the demolition of the remaining commercial buildings (approximately 14,422 sq. ft.), the construction of the speculative commercial product (6,159 sq. ft.), the construction of 177 new market-rate senior housing units, and completion of the remaining parking, landscaping and offsite improvements.

On April 26, 2011, the Planning Commission conducted a public hearing on the application. The Commission expressed concern with the phasing of the project. They felt that allowing the phasing might prevent the second phase from being developed. The Commission indicated that this was an important location for the City and that the entire site should be redeveloped. The Commission also recognized that the economic downturn has had a significant impact on development and the ability of projects to obtain financing. Upon questioning by the Commission, the applicant indicated they had invested a lot of time and money into the project and were committed to the project. The applicant estimated that Phase II would be under construction within two years.

After careful deliberation and questions of the applicant, the Planning Commission voted to approve the application subject to several revised conditions of approval which they felt would improve the appearance of Phase II until it is developed. The following are revised conditions that were imposed by the Commission, so that Phase II receives some improvements along with Phase I, until the entire project is complete.

- Prior to occupancy for Phase I, all remaining landscaping areas and sprinkler systems within Phase II shall be upgraded to match Phase I. If Phase I is required to connect to a recycled water line, Phase II shall also be connected. Any dead or missing trees/landscaping shall be replaced. Appropriate mulch ground cover shall be provided to planter areas to cover and preserve soil moisture. Any damaged and/or missing sprinkler systems shall be repaired and or replaced. A final inspection from the Planning and Public Facilities shall be required.
- Any damage to the existing parking lot within Phase II shall be repaired and parking lot shall be slurry sealed and striped to match Phase I.
- All remaining Phase II structures (once Phase I is completed) shall be repainted to enhance their appearance and to match Phase I.

- The west elevation of the existing structures where demolition will take place shall feature enhanced treatments to match the south side of the buildings. Applicant shall work with staff during plan check to add the necessary details and treatment.

Following the Planning Commission hearing, the application was called up for review by Mayor pro Tem Dorst-Porada and Councilmember Wapner. Both expressed concerns about the phasing of the development and requested that the Council, as a whole, review the request.

ENVIRONMENTAL REVIEW: The environmental impacts for the project were previously reviewed under a Mitigated Negative Declaration that was prepared for the approved project under (File No's. PDEV05-072, PCUP05-045, PCUP06-031, PMTT05-032). No new environmental impacts are anticipated.

CITY OF ONTARIO

Agenda Report

July 5, 2011

SECTION: PUBLIC HEARINGS

SUBJECT: AN AMENDMENT TO THE CENTRELAKE BUSINESS PARK SPECIFIC PLAN CHANGING THE LAND USE DESIGNATION OF APPROXIMATELY 6 ACRES FROM COMMERCIAL/HOTEL TO OFFICE/R-D

RECOMMENDATION: That the City Council adopt a resolution approving File No. PSPA11-001, amending the Centrelake Business Park Specific Plan changing the land use designation of approximately 6 acres from Commercial/Hotel to Officer/R-D for property generally located along the north side of Guasti Road within the Centrelake Business Park Specific Plan (APN: 210-551-170 & 210-551-180).

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

FISCAL IMPACT: The change of land use designation has no material fiscal impact on the City. The project site is already developed with two 3-story tall office buildings that were constructed in 2004; therefore, the opportunity for development of hotels within the project site is limited.

BACKGROUND: Rengel + Co. Architects is requesting approval of an amendment to the Centrelake Business Park Specific Plan to change the land use designation of approximately 6 acres to Office/R-D to facilitate the University of La Verne's desire to establish a satellite campus in the City of Ontario. The school is a private institution of learning that offers Bachelors, Masters, and Doctorate degree programs in multiple disciplines. The school currently has eight satellite programs in Southern and Central California and is now looking to open their Inland Empire campus in Ontario.

The project site currently has a land use designation of Commercial/Hotel and, according to the current Specific Plan land use designation, educational institutions/private colleges are not currently allowed.

STAFF MEMBER PRESENTING: Jerry L. Blum, Planning Director

Prepared by: Luis E. Batres

Department: Planning

City Manager
Approval:



Submitted to Council/O.R.A./O.H.A. 07/05/2011

Approved: _____

Continued to: _____

Denied: _____

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Educational institutions/private colleges are conditionally permitted only within the Office/R-D and Office land use designations. Staff believes that the proposed amendment to Commercial/R-D is appropriate because the site is already developed with two 3-story office buildings and the site is also adjacent to other existing Office/R-D land use designations. The University of Phoenix is currently operating a satellite campus just southwest of the project area and it is located within the Office/R-D land use designation.

On June 28, 2011, the Planning Commission conducted a public hearing on the proposed Specific Plan Amendment. Following the public hearing, the Planning Commission voted to recommend City Council approval of the Specific Plan Amendment.

ENVIRONMENTAL REVIEW: The project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15301 (Existing Facilities) of the CEQA Guidelines.

Exhibit A: Existing Specific Plan Land Use Designations

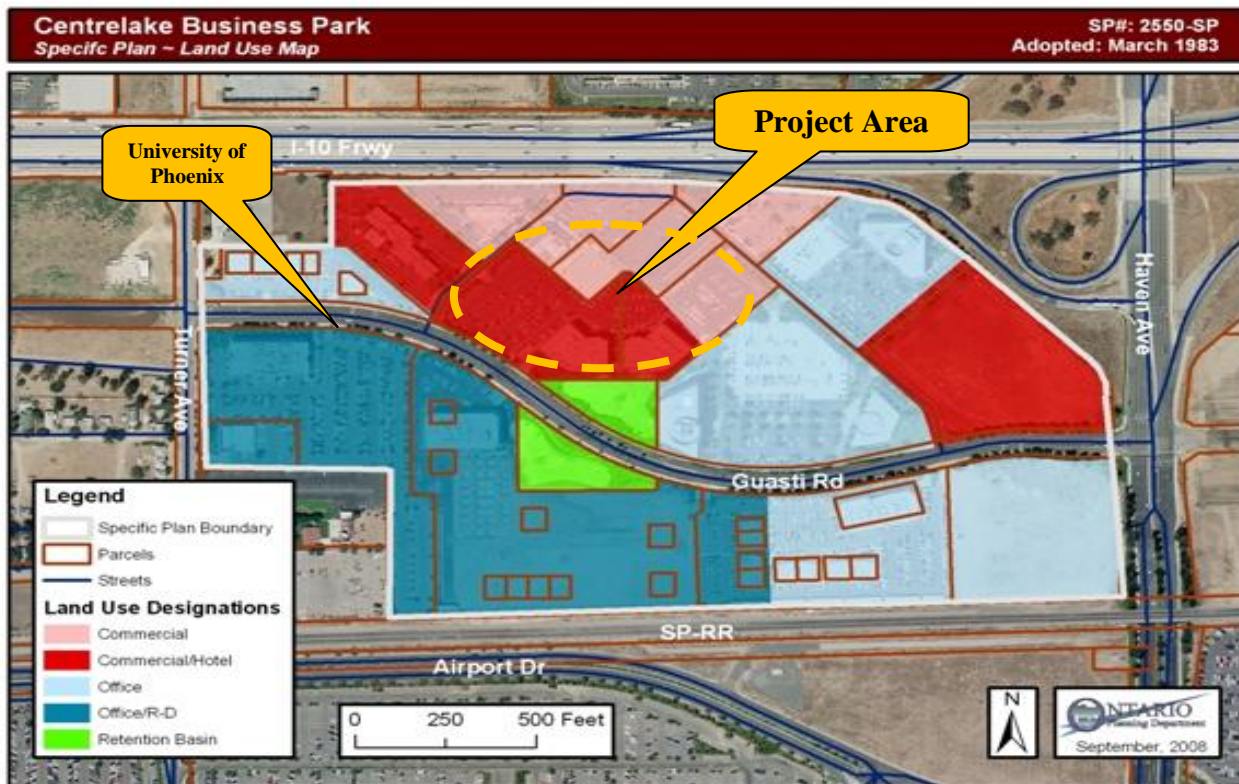
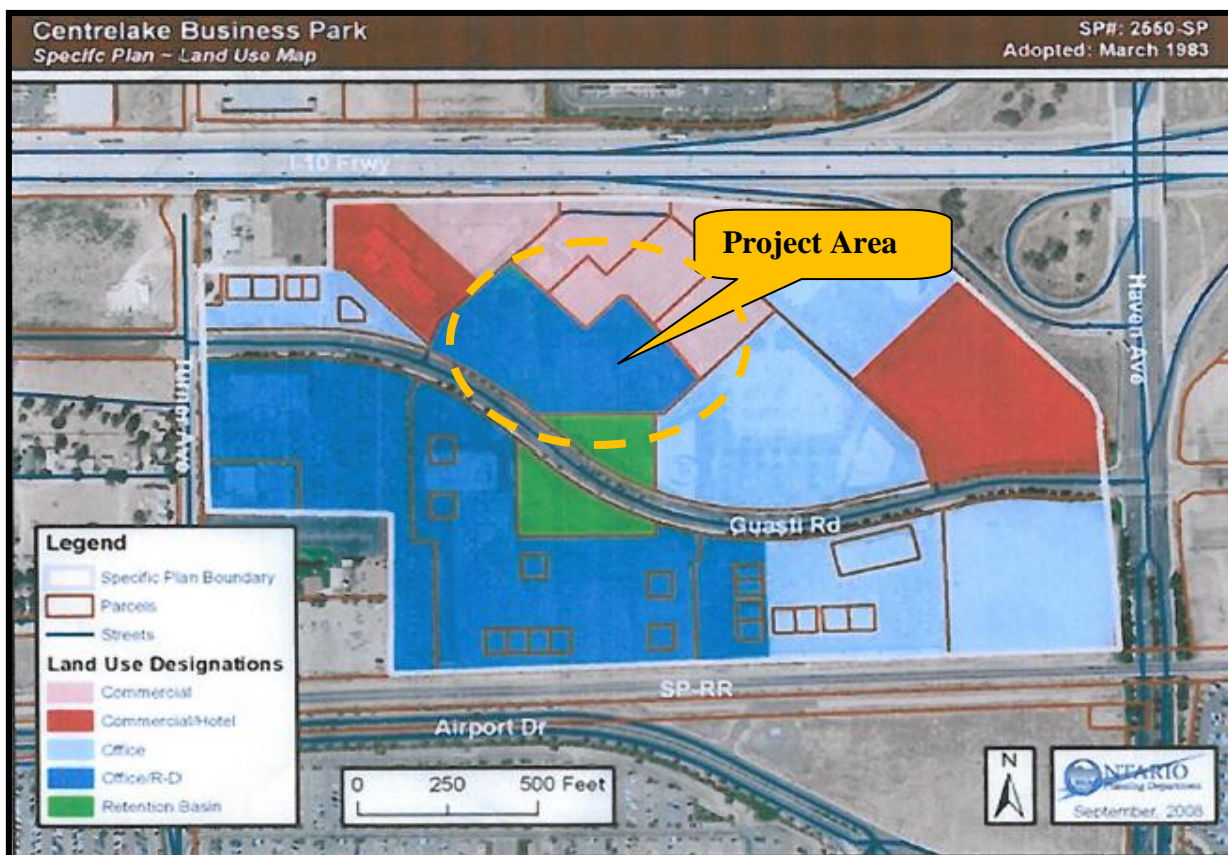


Exhibit B: Proposed Specific Plan Amendment



CITY OF ONTARIO

Agenda Report
July 5, 2011

SECTION:
PUBLIC HEARINGS

SUBJECT: AN AMENDMENT TO FILE NO. PSPA11-002, THE CREEKSIDE SPECIFIC PLAN, CHANGING PARKING REQUIREMENTS WITHIN CUL-DE-SACS AND KNUCKLES

RECOMMENDATION: That the City Council adopt a resolution approving File No. PSPA11-002 amending the Creekside Specific Plan to eliminate the requirement for "No Parking" signs and associated red-painted curbs within all cul-de-sacs and knuckles, and add a requirement to red-paint all islands within the cul-de-sacs and knuckles within the Creekside residential community generally located north of Riverside Drive, south of State Route CA-60, east of Turner Avenue, and west of Milliken 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
Maintain the Current High Level of Public Safety
Operate in a Businesslike Manner

FISCAL IMPACT: The estimated cost for painting curbs is \$8,000. The recurring annual maintenance cost for curb painting will be equal to or less than the current cost of curb and signage maintenance within the Creekside community.

BACKGROUND: The Creekside Specific Plan was approved in 1979 and included a design for cul-de-sacs and knuckles (Exhibit B: *Cul-de-sacs* & Exhibit C: *Knuckles* of the circulation element Specific Plan) with landscaped center islands, red-painted curbs and "No Parking" signs. Over the years, residents have expressed a desire to park their vehicles on the streets in front of their homes. As individuals and through the two Homeowners Associations (Westside and Eastside), residents have requested the removal of the parking restrictions from particular cul-de-sacs or knuckles.

City staff has also received requests for more enforcement of the "no parking" areas and requests to replace missing signs and repaint associated red curbs. Towards the middle of 2010, Creekside East

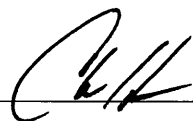
STAFF MEMBER PRESENTING: Jerry L. Blum, Planning Director

Prepared by: John Earle Hildebrand III

Department: Planning

City Manager

Approval:



Submitted to Council/O.R.A./O.H.A. 07/05/2011

Approved: _____

Continued to: _____

Denied: _____

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HOA and other Creekside residents came forward to voice their opinions about the various parking issues within their community. In August 2010, Engineering staff conducted a comprehensive survey of the parking conditions within Creekside. There are a total of 51 cul-de-sacs and 29 knuckles within the entire Creekside community. Currently, 17 of the original “No Parking” signs remain within the cul-de-sacs and 6 within the knuckles.

Cul-de-sacs	
Total Number:	51
With "No Parking" signs:	17
With red-painted islands:	6
Knuckles	
Total Number:	29
With "No Parking" signs:	6
With red-paint:	9

Staff evaluated options to address the issues raised by residents. Staff considered the continued enforcement of the “no parking” restrictions; removal of the restrictions altogether; and the continued addressing of complaints on a case-by-case basis. Of primary concern was the ability of City service vehicles such as fire trucks, street sweepers, and trash trucks to access these areas. Engineering analyzed access needs and concluded that, as a result of various City decisions, actions, and changes in operations over the years, street-side parking could be allowed.

The Fire and Police Departments had already adapted their emergency response procedures to deal with the Creekside parking conditions, and they support removing the “No Parking” signs within the cul-de-sacs and knuckles. Street sweeping service in Creekside is consistent with other medium and higher density areas of the City where on-street parking is allowed. The City’s Municipal Utilities Company (OMUC) supports removing the parking restrictions. However, the overall effectiveness of a street sweeper is contingent upon the number of vehicles parked on the street. Trash pickup is also consistent with other medium and higher density areas of the City. Similar access challenges with on-street parking and narrow streets exist in other areas of the City. Trash vehicles have adapted service procedures to accommodate those areas, and the changes have already been implemented within Creekside. As a result, OMUC again supports removing the subject parking restrictions.

Starting in December 2010, staff met with both the Eastside and Westside HOA Board members and Creekside residents during regularly scheduled HOA board meetings. The general consensus among the attendees, as well as the HOA Board, was a recommendation to permanently remove the “no parking” restrictions. The City’s analysis concluded that removal of the restrictions would not cause significant detrimental effects on the access of service vehicles. Now, on behalf of the Creekside HOAs, Engineering staff recommends permanent removal of the parking restrictions. This is a cost-effective approach from a long-term maintenance perspective, and will reduce the ongoing resident concerns. Because the parking restrictions are required by the Creekside Specific Plan, a Specific Plan Amendment is required.

The Planning Commission reviewed the application on June 28, 2011, and is recommending approval of the permanent removal of all remaining “No Parking” signs and the repainting of associated curbs from red to white within cul-de-sacs and knuckles. Additionally, all island curbs within the cul-de-sacs and knuckles will be painted red to restrict parking only in those areas.