

CITY OF ONTARIO
CITY COUNCIL/HOUSING AUTHORITY/SUCCESSOR AGENCY
TO THE ONTARIO REDEVELOPMENT AGENCY
AGENDA
JULY 7, 2015

Paul S. Leon
Mayor

Debra Dorst-Porada
Mayor pro Tem

Alan D. Wapner
Council Member

Jim W. Bowman
Council Member

Paul Vincent Avila
Council Member



Al C. Boling
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

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

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

CLOSED SESSION

- GC 54956.8, CONFERENCE WITH REAL PROPERTY NEGOTIATORS
Property: APN: 1560-200-44; 3100 South Milliken Avenue, Eastvale, CA; City/Authority Negotiator: Al C. Boling or his designee; Negotiating parties: Tony Rigdon; Under negotiation: Price and terms of payment.
- GC 54957.6, CONFERENCE WITH LABOR NEGOTIATOR: Al C. Boling regarding San Bernardino Public Employees Association.
- GC 54956.9 (d)(2), CONFERENCE WITH LEGAL COUNSEL, ANTICIPATED LITIGATION:
One (1) case.
- GC 54956.9 (d)(1), CONFERENCE WITH LEGAL COUNSEL, EXISTING LITIGATION: *City of Ontario v. City of Los Angeles, Los Angeles World Airports, and Los Angeles Board of Airport Commissioners, RIC 1306498.*

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

PLEDGE OF ALLEGIANCE

Council Member Avila

INVOCATION

Sean Thurin, Assistant Pastor, 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.

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/Housing Authority/Successor Agency to the Ontario Redevelopment Agency of June 2, 2015, and approving same as on file in the Records Management Department.

2. BILLS/PAYROLL

Bills May 17, 2015 through May 30, 2015 and **Payroll** May 17, 2015 through May 30, 2015, when audited by the Finance Committee.

3. RIGHT OF WAY PURCHASE AGREEMENT BETWEEN THE CITY OF ONTARIO AND THE SAN BERNARDINO COUNTY FLOOD CONTROL DISTRICT

That the City Council approve and authorize the City Manager to execute a Right of Way Purchase Agreement (on file with the Records Management Department) with the San Bernardino County Flood Control District (SBCFCD) to acquire the right of way on Edison Avenue at Cucamonga Creek Channel and Archibald Avenue at Lower Deer Creek.

4. FACILITIES RELOCATION AGREEMENT FOR SOUTHERN CALIFORNIA EDISON FACILITIES ALONG EDISON AVENUE BETWEEN THE CUCAMONGA CREEK CHANNEL AND TURNER AVENUE

That the City Council approve and authorize the City Manager to execute a Facilities Relocation Agreement (on file with the Records Management Department) with Southern California Edison (SCE) for the relocation of SCE facilities along Edison Avenue from the Cucamonga Creek Channel to Turner Avenue.

5. A CONSTRUCTION CONTRACT FOR CITY OF ONTARIO FY 2014-15 / FY 2015-16 COLLECTOR/ARTERIAL, LOCAL STREET MAINTENANCE - SLURRY SEAL AND CDBG PAVEMENT AND ALLEY PAVEMENT MANAGEMENT REHABILITATION/AMERICAN ASPHALT SOUTH, INC.

That the City Council approve the plans and specifications and award a construction contract (on file in the Records Management Department) to American Asphalt South, Inc. of Fontana, California for the City of Ontario FY 2014-15 / FY2015-16 Collector/Arterial, Local Street Maintenance Slurry Seal and CDBG Pavement and Alley Pavement Management Rehabilitation in the bid amount of \$1,837,193 plus a twenty (20%) percent contingency of \$367,439 for a total authorized expenditure of \$2,204,632; 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 for the project.

6. A CONSTRUCTION CONTRACT FOR THE FY 2014-15 PAVEMENT REHABILITATION PROJECT AND CDBG FUNDED ALLEY RECONSTRUCTION/ALL AMERICAN ASPHALT

That the City Council approve the plans and specifications and award a construction contract (on file in the Records Management Department) to All American Asphalt of Corona, California, for the FY 2014-15 Pavement Rehabilitation Project and CDBG Funded Alley Reconstruction for the bid amount of \$2,281,410 plus a 15% contingency of \$342,212 for a total authorized amount of \$2,623,622; and authorize the City Manager to execute related documents necessary and file a notice of completion at the conclusion of all construction activities.

7. ACCEPT A GRANT AWARD FROM THE FEDERAL EMERGENCY MANAGEMENT AGENCY/U.S. DEPARTMENT OF HOMELAND SECURITY (FEMA/DHS)

That the City Council accept a grant award from the Federal Emergency Management Agency / U.S. Department of Homeland Security (FEMA/DHS) in the amount of \$90,350 for the purchase of firefighter personal escape and rescue system equipment.

8. MAINTENANCE SERVICE AGREEMENT FOR FIRE SPRINKLER AND KITCHEN SUPPRESSION SYSTEM SERVICES AT VARIOUS CITY LOCATIONS/CAL BUILDING SYSTEMS, INC.

That the City Council authorize the City Manager to execute a three-year Maintenance Service Agreement (on file in the Records Management Department) with Cal Building Systems, Inc. of Brea, California, for an annual cost of \$29,512; authorize the addition of future service areas; and authorize the option to extend the agreement for up to two additional years consistent with City Council approved budgets.

9. MAINTENANCE SERVICE AGREEMENTS FOR ON-CALL URGENCY CONTRACTOR SERVICES AT VARIOUS CITY LOCATIONS/RYMAX ELECTRIC, INC.

That the City Council authorize the City Manager to execute three-year On-Call Maintenance Service Agreements (on file in the Records Management Department) with Rymax Electric, Inc., of Brea, California, EL Plumbing Corp., of La Verne, California, and Vortex Industries, Inc., of Riverside, California; and authorize the City Manager to extend the agreements for up to two additional years consistent with City Council approved budgets.

10. PROFESSIONAL SERVICES AGREEMENT WITH BABCOCK LABORATORIES, INC. FOR ANALYTICAL LABORATORY SERVICES

That the City Council approve and authorize the City Manager to execute a Professional Services Agreement (on file in the Records Management Department) with Babcock Laboratories, Inc., of Riverside, California, for analytical laboratory services for water and wastewater in the amount of \$260,000 for FY 2015-16 with the option to extend the agreement for up to three successive one year periods.

II. EXTENSION AND AMENDMENTS TO THE 2013-2016 MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF ONTARIO AND THE AMERICAN FEDERATION OF STATE, COUNTY, AND MUNICIPAL EMPLOYEES

That the City Council approve a one-year extension and proposed amendments to the 2013-2016 Memorandum of Understanding (MOU) between the City of Ontario and the employees represented by the American Federation of State, County, and Municipal Employees (AFSCME) regarding wages, hours, and other terms and conditions of employment; and authorize the City Manager to make non-substantive revisions to MOU language, if necessary, to implement the intended extension and amendments and/or achieve consistency between bargaining units.

12. EXTENSION AND AMENDMENTS TO THE 2013-2016 MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF ONTARIO AND THE ASSOCIATION OF ONTARIO MANAGEMENT

That the City Council approve a one-year extension and proposed amendments to the 2013-2016 Memorandum of Understanding (MOU) between the City of Ontario and the employees represented by the Association of Ontario Management Employees (AOME) regarding wages, hours, and other terms and conditions of employment; and authorize the City Manager to make non-substantive revisions to MOU language, if necessary, to implement the intended extension and amendments and/or achieve consistency between bargaining units.

13. APPROVAL OF AMENDMENTS TO COMPENSATION AND BENEFITS PROFILE TERMS OF EMPLOYMENT FOR UNREPRESENTED EMPLOYEE GROUPS INCLUDING PART-TIME, CONFIDENTIAL, DEPARTMENT HEAD AND EXECUTIVE MANAGEMENT EMPLOYEES

That the City Council approve amendments regarding wages, hours, and other terms and conditions of employment and corresponding amendments to the Compensation and Benefits Profiles for unrepresented employees in the Part-Time, Confidential, Department Head, and Executive Management employee groups; and authorize the City Manager to make non-substantive revisions to the Profiles, if necessary, to implement the intended amendments and/or achieve consistency between employee units.

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING SALARY RANGES FOR APPOINTIVE POSITIONS OF FIRE CHIEF AND POLICE CHIEF AS SET FORTH IN EXECUTIVE MANAGEMENT COMPENSATION AND BENEFITS PROFILE.

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, AMENDING SALARY COMPENSATION FOR THE CITY MANAGER.

14. AWARD OF BID FOR PROCUREMENT OF ASPHALT, CONCRETE AND AGGREGATE MATERIALS/HOLLIDAY ROCK CO./CALPORTLAND/VULCAN

That the City Council authorize the City Manager to approve the procurement of concrete, asphalt and aggregate materials from Bid Invitation #532 with Holliday Rock Co. of Upland, California; CalPortland of Ontario, California; and Vulcan of Irwindale, California; and authorize the option for the City Manager to extend the agreements for up to one additional year consistent with City Council approved budgets.

15. A SERVICE AGREEMENT FOR LANDSCAPE MAINTENANCE SERVICES AT CELEBRATION PARK/MERCHANTS LANDSCAPE SERVICES, INC.

That the City Council approve and authorize the City Manager to execute a three-year Maintenance Services Agreement (on file with the Records Management Department) for Contract No. PM 1415-09 with Merchants Landscape Services, Inc. of Rancho Cucamonga, California for an annual cost of \$43,200 plus a contingency of \$4,320; 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.

16. A SERVICE AGREEMENT FOR LANDSCAPE MAINTENANCE SERVICES FOR PARK PLACE PARKWAYS/VALLEYCREST LANDSCAPE MAINTENANCE

That the City Council approve and authorize the City Manager to execute a three-year Maintenance Services Agreement (on file with the Records Management Department) for Contract No. PM 1415-12 with Valleycrest Landscape Maintenance. of Fontana, California, for an annual cost of \$43,836 plus a contingency of \$6,575; 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.

17. A RESOLUTION FINDING THAT THE PUBLIC INTEREST AND CONVENIENCE REQUIRE THE SALE OF CERTAIN REAL PROPERTY AND DECLARING ITS INTENT TO SELL SUCH PROPERTY

That the City Council adopt a resolution finding the public interest and convenience require the sale of certain real property and declaring its intent to sell such property located at 616 East Sunkist Street.

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, FINDING THAT THE PUBLIC INTEREST AND CONVENIENCE REQUIRE THE SALE OF CERTAIN REAL PROPERTY AND DECLARING ITS INTENT TO SELL SUCH PROPERTY.

PUBLIC HEARINGS

Pursuant to Government Code Section 65009, if you challenge the City's zoning, planning or any other decision in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the City Council at, or prior to the public hearing.

18. APPROVAL OF OWNER'S PERMITS FOR THE PROVISION OF TAXICAB SERVICES WITHIN THE CITY OF ONTARIO

That the City Council hold a public hearing to consider approval of owner's permits for the provision of taxicab services within the City of Ontario to Network Paratransit Systems, Inc. dba Bell Cab Company, San Bernardino, California, Rykal LLC dba Yellow Cab Company, Thousand Palms, California, and Express Transportation Systems Inc. dba Checker Cab & Inland Empire Cab, Riverside, California; and authorize the City Manager to execute five-year service agreements with these companies.

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, FINDING THAT THE PUBLIC CONVENIENCE AND NECESSITY REQUIRE THE ISSUANCE OF ADDITIONAL PERMITS FOR PROVISION OF TAXICAB SERVICES WITHIN THE CITY.

19. A PUBLIC HEARING TO CONSIDER AN ORDINANCE TO AMEND SECTION 2-9.02 AND 2-9.03 OF THE ONTARIO MUNICIPAL CODE RELATING TO CHANGING THE NAME OF THE PUBLIC MUSEUM TO "ONTARIO MUSEUM OF HISTORY AND ART"

That the City Council introduce and waive further reading of an ordinance amending Chapter 9 of Title 2 of the Ontario Municipal Code to change the name of the City's public museum to "Ontario Museum of History and Art".

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

Written communication.

Oral presentation.

Public hearing closed.

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF
ONTARIO, CALIFORNIA, AMENDING CHAPTER 9 OF TITLE 2 OF
THE ONTARIO MUNICIPAL CODE TO APPROVE CHANGING THE
NAME OF THE PUBLIC MUSEUM TO “ONTARIO MUSEUM OF
HISTORY AND ART.”

STAFF MATTERS

City Manager Boling

COUNCIL MATTERS

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

ADJOURNMENT

**CITY OF ONTARIO
CLOSED SESSION REPORT**
City Council // Housing Authority // Other // (GC 54957.1)
July 7, 2015

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

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

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

- GC 54956.8, CONFERENCE WITH REAL PROPERTY NEGOTIATORS
Property: APN: 1560-200-44; 3100 South Milliken Avenue, Eastvale, CA; City/Authority
Negotiator: Al C. Boling or his designee; Negotiating parties: Tony Rigdon; Under negotiation:
Price and terms of payment.

No Reportable Action

Continue

Approved

/ /

/ /

/ /

Disposition: _____

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

- GC 54957.6, CONFERENCE WITH LABOR NEGOTIATOR: Al C. Boling regarding San Bernardino
Public Employees Association.

No Reportable Action

Continue

Approved

/ /

/ /

/ /

Disposition: _____

**CITY OF ONTARIO
CLOSED SESSION REPORT**

City Council // Housing Authority // Other // (GC 54957.1)
July 7, 2015
(continued)

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

- GC 54956.9 (d)(2), CONFERENCE WITH LEGAL COUNSEL, ANTICIPATED LITIGATION: *One (1) case.*

No Reportable Action	Continue	Approved
/ /	/ /	/ /

Disposition: _____

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

- GC 54956.9 (d)(1), CONFERENCE WITH LEGAL COUNSEL, EXISTING LITIGATION: *City of Ontario v. City of Los Angeles, Los Angeles World Airports, and Los Angeles Board of Airport Commissioners, RIC 1306498.*

No Reportable Action	Continue	Approved
/ /	/ /	/ /

Disposition: _____

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

CITY OF ONTARIO

Agenda Report
July 7, 2015

**SECTION:
CONSENT CALENDAR**

SUBJECT: RIGHT OF WAY PURCHASE AGREEMENT BETWEEN THE CITY OF ONTARIO AND THE SAN BERNARDINO COUNTY FLOOD CONTROL DISTRICT

RECOMMENDATION: That the City Council approve and authorize the City Manager to execute a Right of Way Purchase Agreement (on file with the Records Management Department) with the San Bernardino County Flood Control District (SBCFCD) to acquire the right of way on Edison Avenue at Cucamonga Creek Channel and Archibald Avenue at Lower Deer Creek.

COUNCIL GOALS: Regain Local Control of the Ontario International Airport
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: None. Pursuant to the NMC Construction Agreement, the acquisition cost of \$107,642 is being paid for by the NMC Builders LLC in association with the Edison Avenue and Archibald Avenue street improvements and will be eligible for reimbursement from the Development Impact Fee (DIF) program.

BACKGROUND: NMC Builders LLC, as required per the NMC Construction Agreement, is currently constructing the Edison Avenue and Archibald Avenue improvements. The sections of Edison Avenue at the Cucamonga Creek Channel and Archibald Avenue at Lower Deer Creek are classified as an 8-lane principal arterial and a 6-lane principal arterial in The Ontario Plan, respectively. To accommodate the improvements on Edison and Archibald Avenues, it is necessary to acquire the right of way from SBCFCD as shown on the attached Exhibits 1, 2 and 3. The Right of Way Purchase Agreement is required by SBCFCD in order to convey the required right of way to the City. The proposed agreement has been reviewed and approved by the City Attorney.

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

Prepared by: Khoi Do
Department: Engineering

City Manager
Approval: 

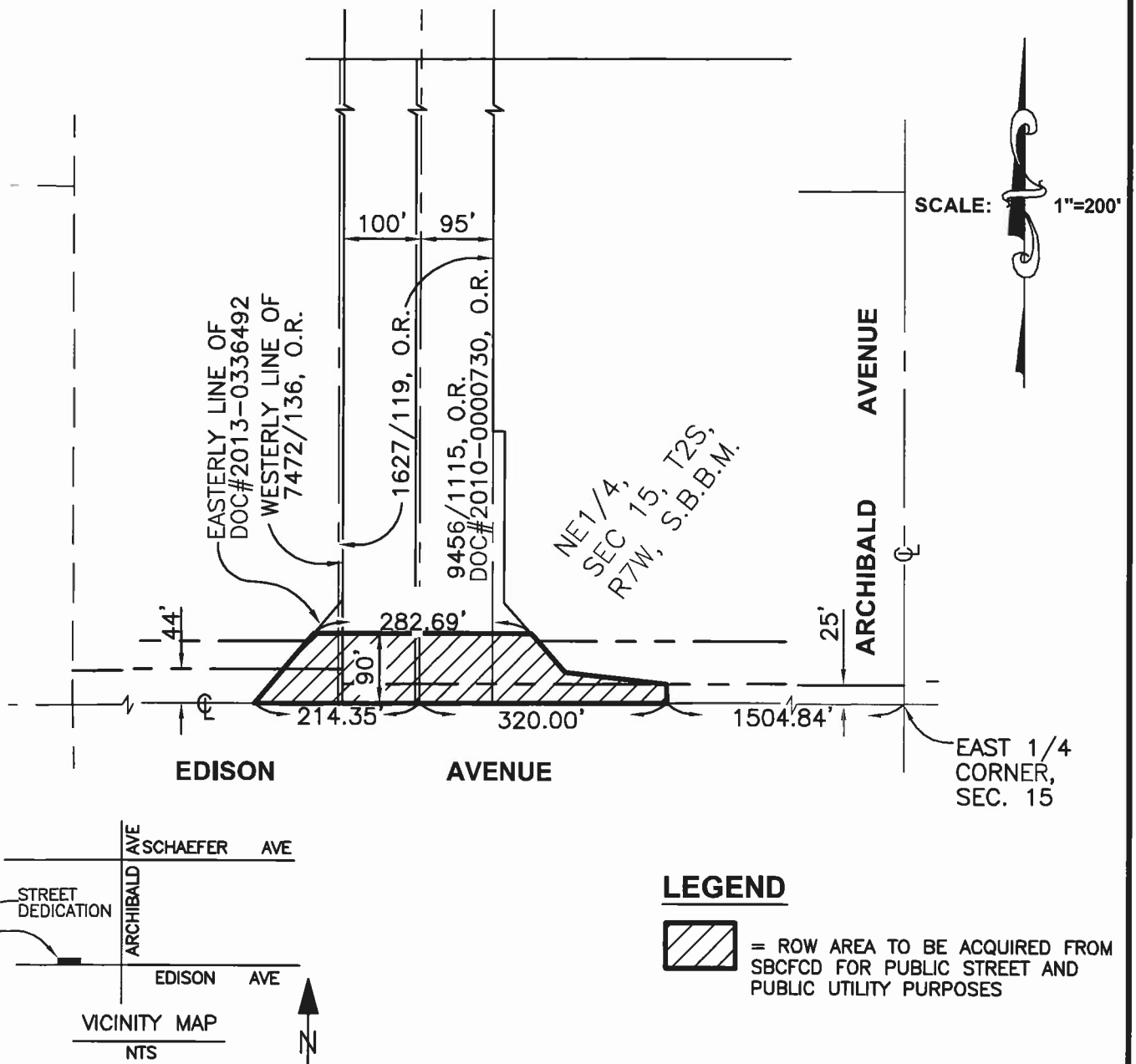
Submitted to Council/O.H.A. 07/07/2015

Approved: _____

Continued to: _____

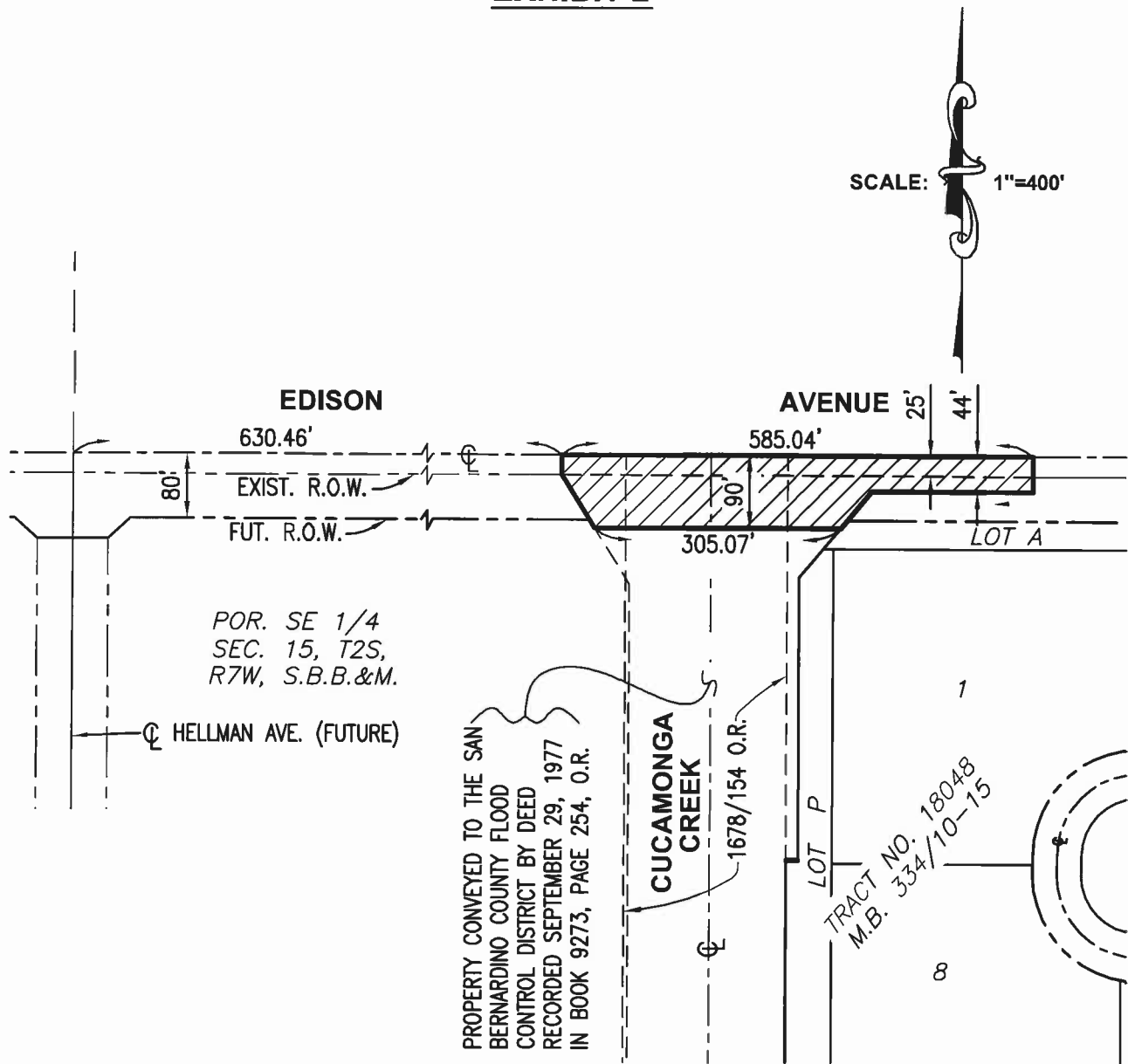
Denied: _____

EXHIBIT 1

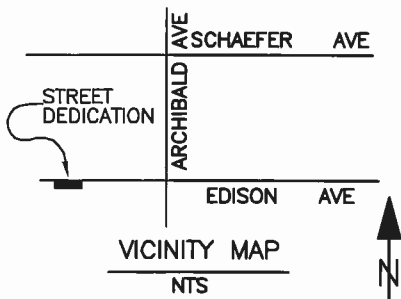


**CITY OF ONTARIO
ENGINEERING DEPARTMENT**

EXHIBIT 2



PROPERTY CONVEYED TO THE SAN
BERNARDINO COUNTY FLOOD
CONTROL DISTRICT BY DEED
RECORDED SEPTEMBER 29, 1977
IN BOOK 9273, PAGE 254, O.R.



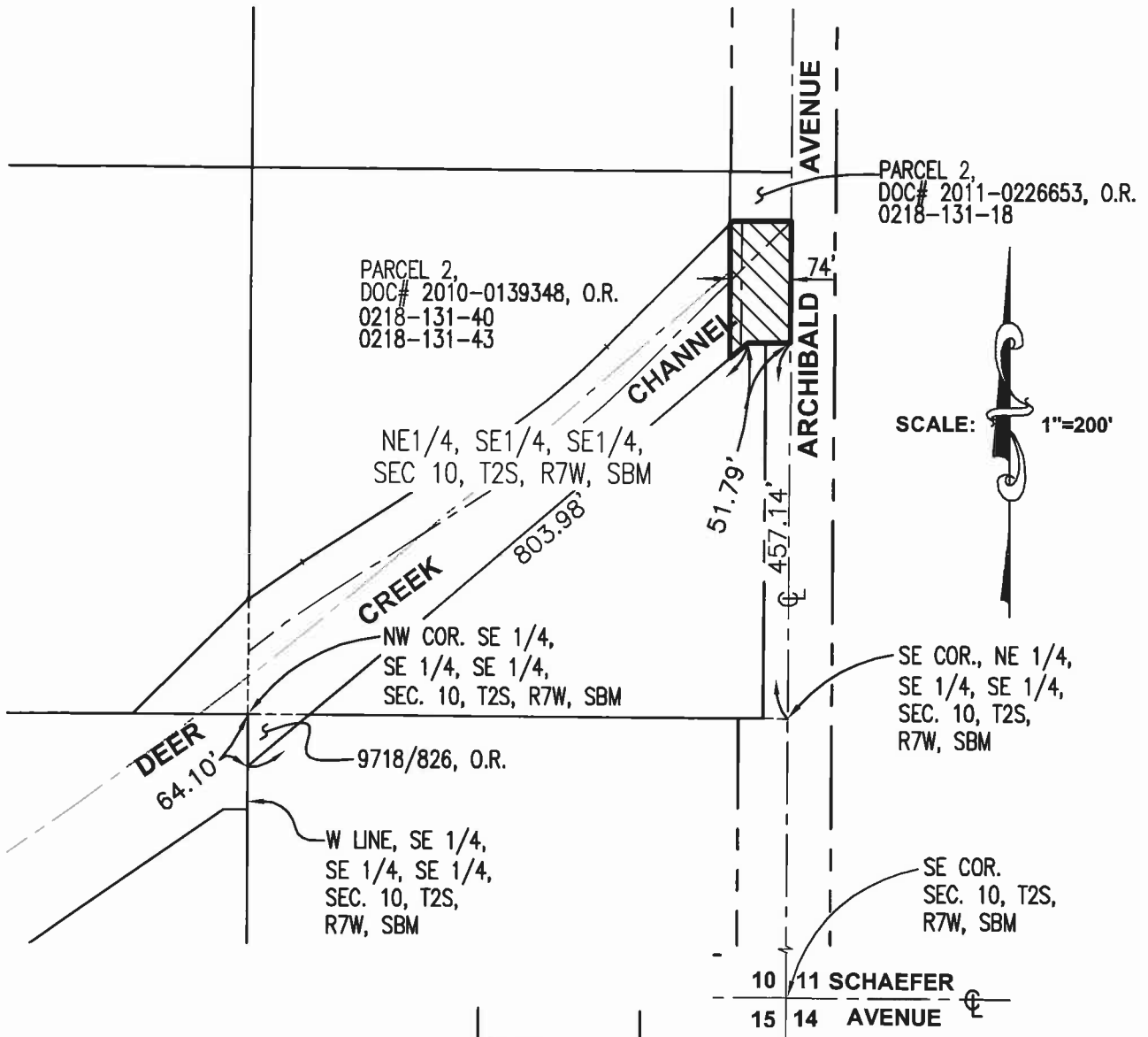
LEGEND



= ROW AREA TO BE ACQUIRED
FROM SBCFCD FOR PUBLIC STREET
AND PUBLIC UTILITY PURPOSES

**CITY OF ONTARIO
ENGINEERING DEPARTMENT**

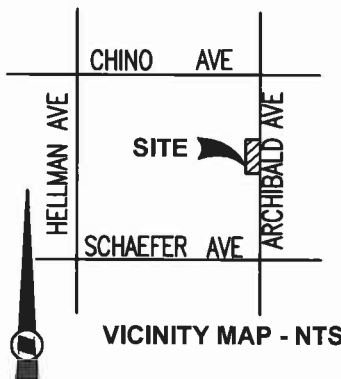
EXHIBIT 3



LEGEND



= ROW AREA TO BE
ACQUIRED FROM SBCFCD
FOR PUBLIC STREET AND
PUBLIC UTILITY PURPOSES
(11,156 SQ. FT.)



CITY OF ONTARIO
ENGINEERING DEPARTMENT

CITY OF ONTARIO

Agenda Report
July 7, 2015

SECTION: CONSENT CALENDAR

SUBJECT: FACILITIES RELOCATION AGREEMENT FOR SOUTHERN CALIFORNIA EDISON FACILITIES ALONG EDISON AVENUE BETWEEN THE CUCAMONGA CREEK CHANNEL AND TURNER AVENUE

RECOMMENDATION: That the City Council approve and authorize the City Manager to execute a Facilities Relocation Agreement (on file with the Records Management Department) with Southern California Edison (SCE) for the relocation of SCE facilities along Edison Avenue from the Cucamonga Creek Channel to Turner Avenue.

COUNCIL GOALS: Regain Local Control of the Ontario International Airport
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: None. Pursuant to the NMC Construction Agreement, the cost of the SCE facilities relocation (estimated to be \$1,101,000) is being paid for by NMC Builders LLC in association with the Edison Avenue street improvements and will be eligible for reimbursement from the Development Impact Fee (DIF) program.

BACKGROUND: As part of the Edison Avenue Improvement Project in the New Model Colony, the City has requested that SCE relocate the portion of their existing facilities that interfere with the City's project. Currently, SCE's utility poles are in conflict with the construction of the recycled water and street widening improvements on Edison Avenue and will have to be relocated from the north side of the street to the south side, behind the ultimate curb and gutter location.

The Facilities Relocation Agreement is required by SCE and outlines the scope of work associated with SCE's relocation project and has been reviewed and approved as to form by the City Attorney.

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

Prepared by: Khoi Do
Department: Engineering

City Manager
Approval: 

Submitted to Council/O.H.A. 07/07/2015

Approved: _____

Continued to: _____

Denied: _____

CITY OF ONTARIO

Agenda Report
July 7, 2015

SECTION:
CONSENT CALENDAR

SUBJECT: A CONSTRUCTION CONTRACT FOR CITY OF ONTARIO FY 2014-15 / FY 2015-16 COLLECTOR/ARTERIAL, LOCAL STREET MAINTENANCE - SLURRY SEAL AND CDBG PAVEMENT AND ALLEY PAVEMENT MANAGEMENT REHABILITATION

RECOMMENDATION: That the City Council approve the plans and specifications and award a construction contract (on file in the Records Management Department) to American Asphalt South, Inc. of Fontana, California for the City of Ontario FY 2014-15 / FY2015-16 Collector/Arterial, Local Street Maintenance Slurry Seal and CDBG Pavement and Alley Pavement Management Rehabilitation in the bid amount of \$1,837,193 plus a twenty (20%) percent contingency of \$367,439 for a total authorized expenditure of \$2,204,632; 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 for the project.

COUNCIL GOALS: Regain Local Control of the Ontario International Airport
Focus Resources in Ontario's Commercial and Residential Neighborhoods
Invest in the City's Infrastructure (Water, Streets, Sewers, Parks, Storm Drains and Public Facilities)

FISCAL IMPACT: The FY 2014-15 Budget includes appropriations of \$650,000 from Measure "I" funds, \$192,500 from CDBG funds, and \$312,000 from Gas Tax funds for a total of \$1,154,500. The FY 2015-16 Budget contains \$400,000 from Gas Tax funds, \$650,000 from Measure "I" funds and \$400,000 from CDBG funds for a combined two (2) Fiscal Year appropriation of \$2,604,500 for this project. The total recommended expenditure authorization of \$2,204,632 consists of the bid amount of \$1,837,193 plus a 20% contingency of \$367,439.

BACKGROUND: The scope of services for this project includes crack-sealing, removal and replacement of existing thermoplastic traffic striping and markings, localized asphalt concrete pavement repair and placement of Rubber Polymer Modified Slurry Seal (RPMSS) on various collector and arterial streets and on various local streets and alleys. Location exhibits are attached for reference (Exhibits 1 through 24). This project will extend the lifespan of the streets, alleys and parking lot by

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

Prepared by: Gary Harms
Department: Engineering

City Manager
Approval: 

Submitted to Council/O.H.A. 07/07/2015

Approved: _____

Continued to: _____

Denied: _____

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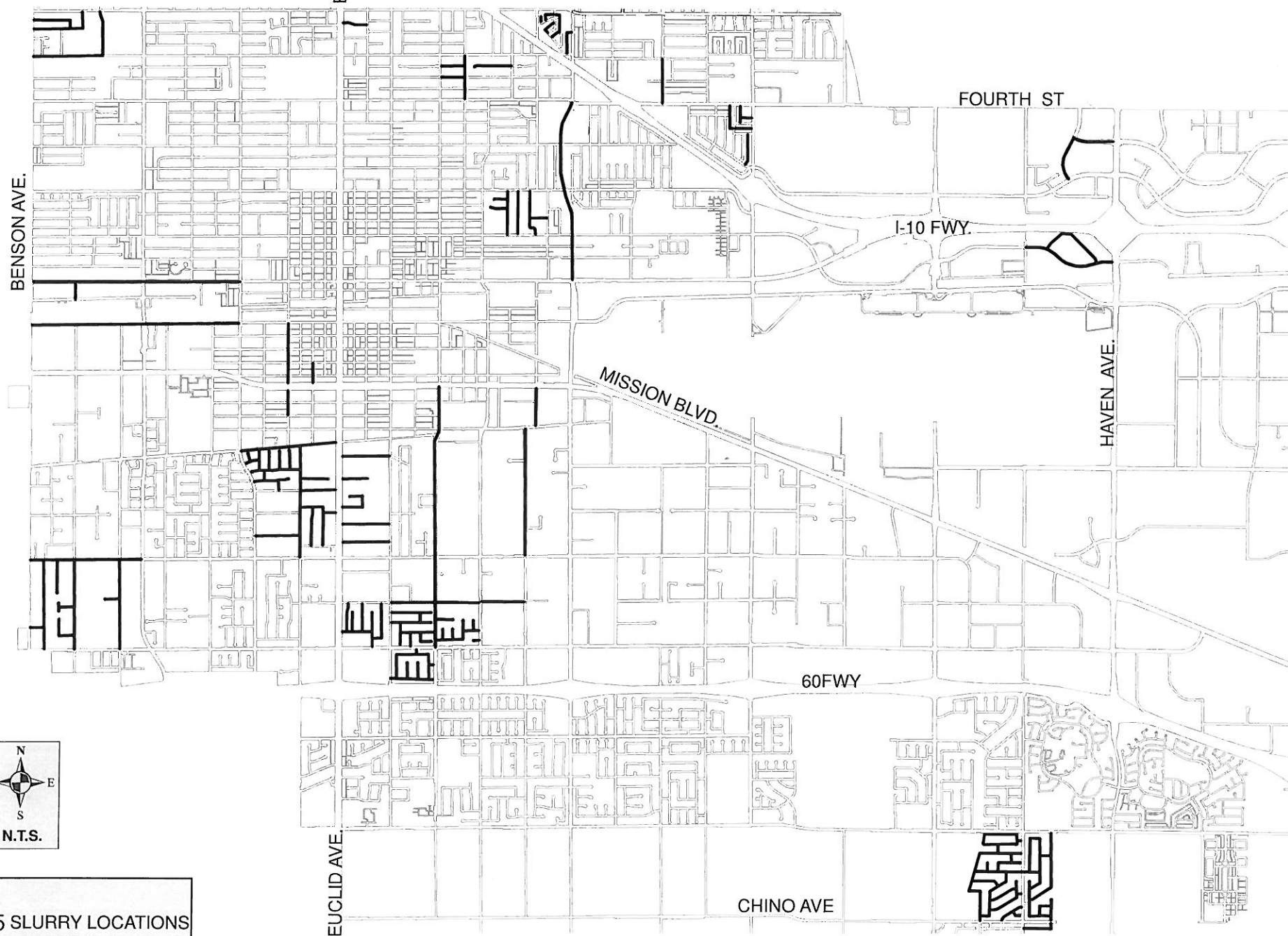
approximately ten (10) years and prevent more costly future repairs. In June 2015 the City solicited bids for the project, and three bids were received. The bid results are:

COMPANY	LOCATION	BASE BID (Schedule "A")	OPTION 1 (Schedule "B")	OPTION 2 (Schedule C)	TOTAL (Reference Only)
American Asphalt South, Inc.	Fontana, CA	\$905,450	\$931,743	\$695,195	\$2,532,387
Pavement Coatings	Mira Loma, CA	\$1,258,623	\$1,038,670	\$895,288	\$3,192,579
All American Asphalt, Inc.	Corona, CA	\$1,035,914	\$1,282,938	\$1,182,547	\$3,501,399

The total bid amounts shown above provide for alternative awards allowing staff to choose between two different slurry materials. Alternate Bid Schedule "B" includes RPMSS and was chosen due to the higher quality and longer life cycle combined with favorable bid prices. American Asphalt South, Inc. of Fontana, CA. submitted the lowest-responsible bid; and is recommended at a project cost of \$1,837,193 (Base Bid of \$905,450 plus Option 1-Schedule B of \$931,743). American Asphalt South, Inc. has performed similar work for the City of Ontario in a satisfactory manner.

The requested 20% contingency will permit staff to take advantage of the low unit price for RPMSS and allow additional streets to be slurry sealed as identified by staff and the City's Pavement Management System.

(EXHIBIT 1 OF 24)
CITY OF ONTARIO
2015 COLLECTOR / ARTERIAL, LOCAL,
CDBG-FUNDED LOCAL AND CDBG-FUNDED
ALLEY SLURRY SEAL PROGRAM



Legend
— 2015 SLURRY LOCATIONS

**CITY OF ONTARIO
2015 COLLECTOR / ARTERIAL SLURRY SEAL
PROJECT AREA "A"-"E"**

EUCLID AVE.

BENSON AVE.

FOURTH ST

I-10 FWY.

HAVEN AVE.

MISSION BLVD.

60FWY

AREA - A

AREA - D

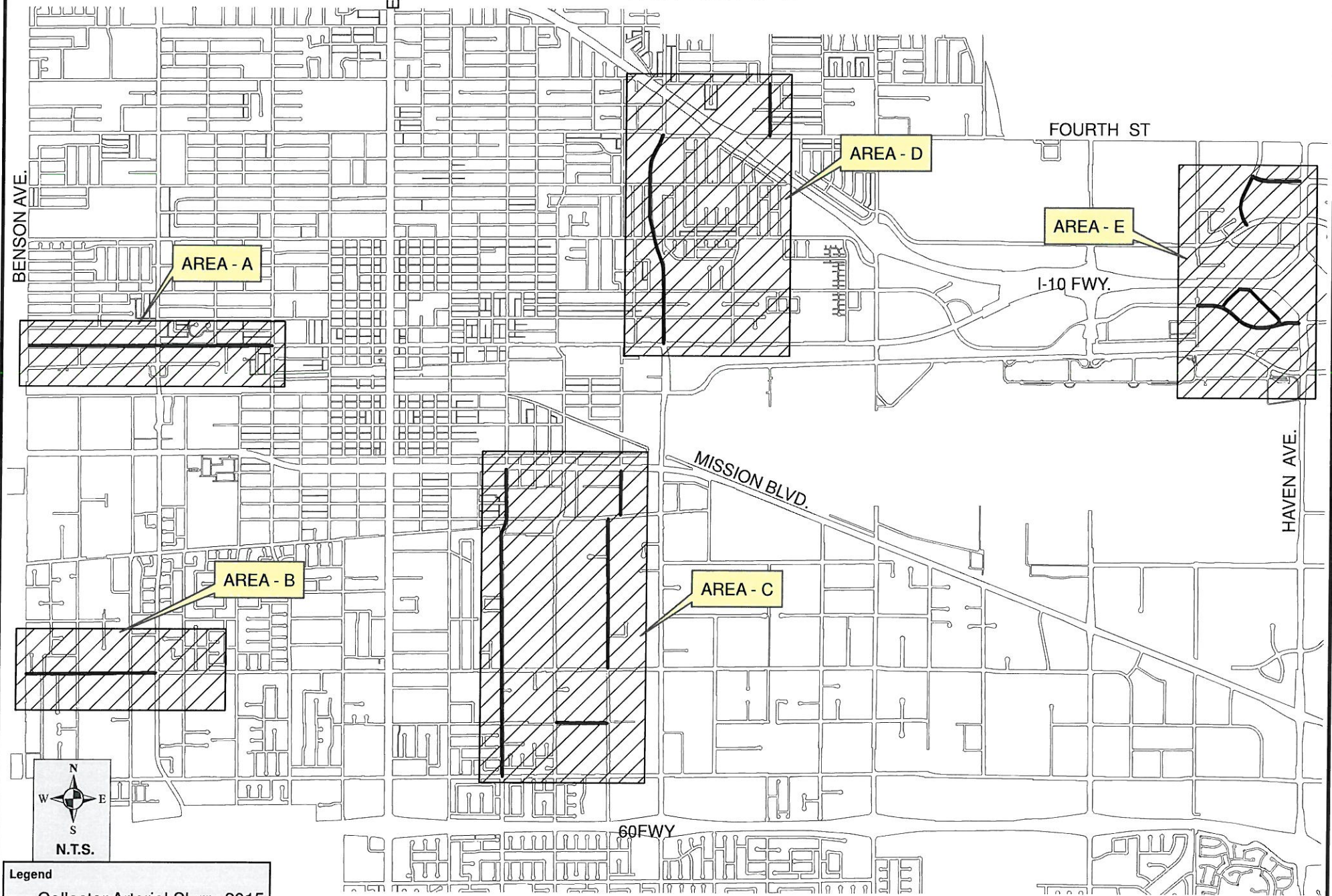
AREA - E

AREA - B

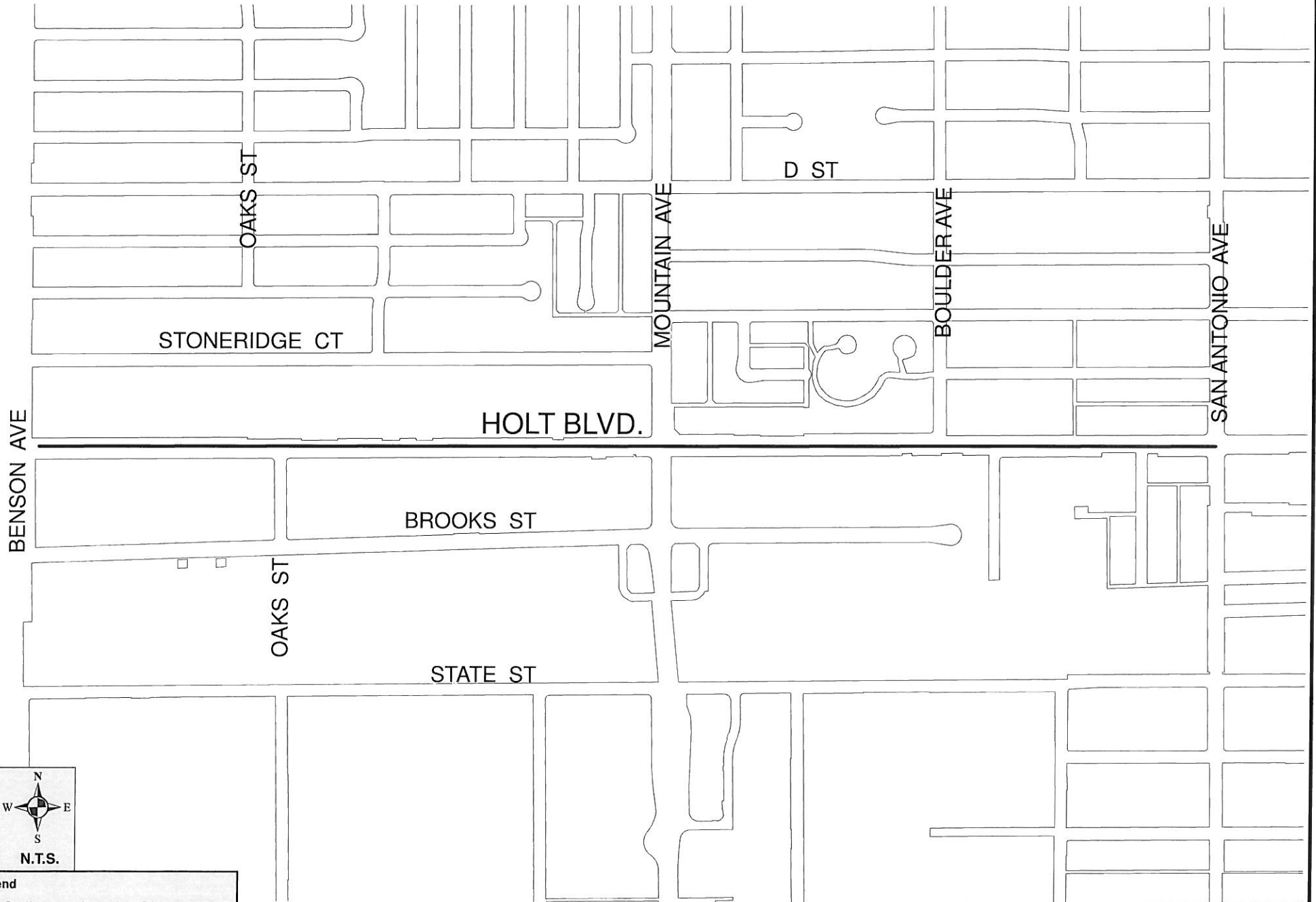
AREA - C



Legend
— Collector Arterial Slurry 2015

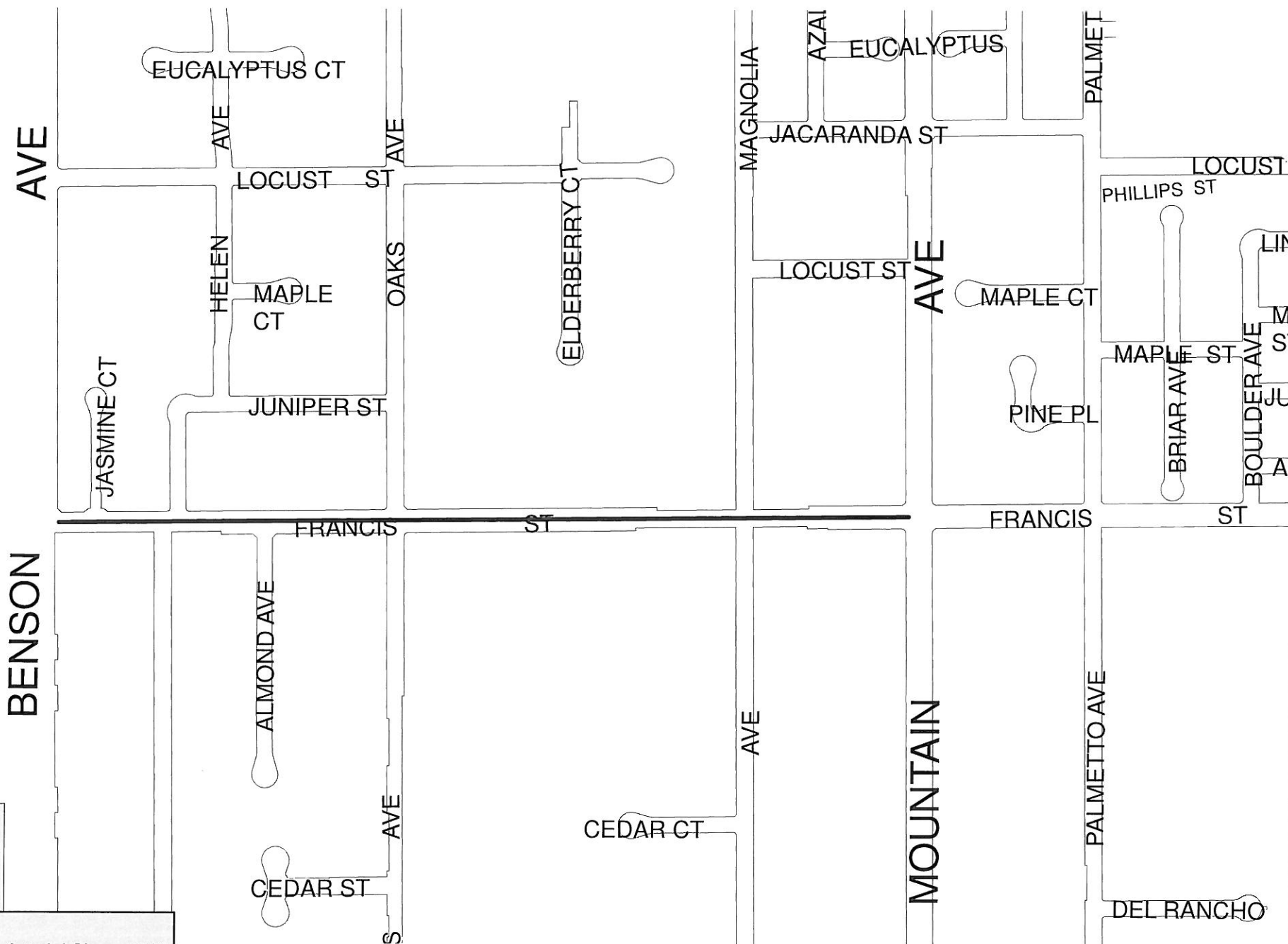


CITY OF ONTARIO
2015 COLLECTOR / ARTERIAL SLURRY SEAL
PROJECT AREA "A"



Legend
— Collector Arterial Slurry 2015

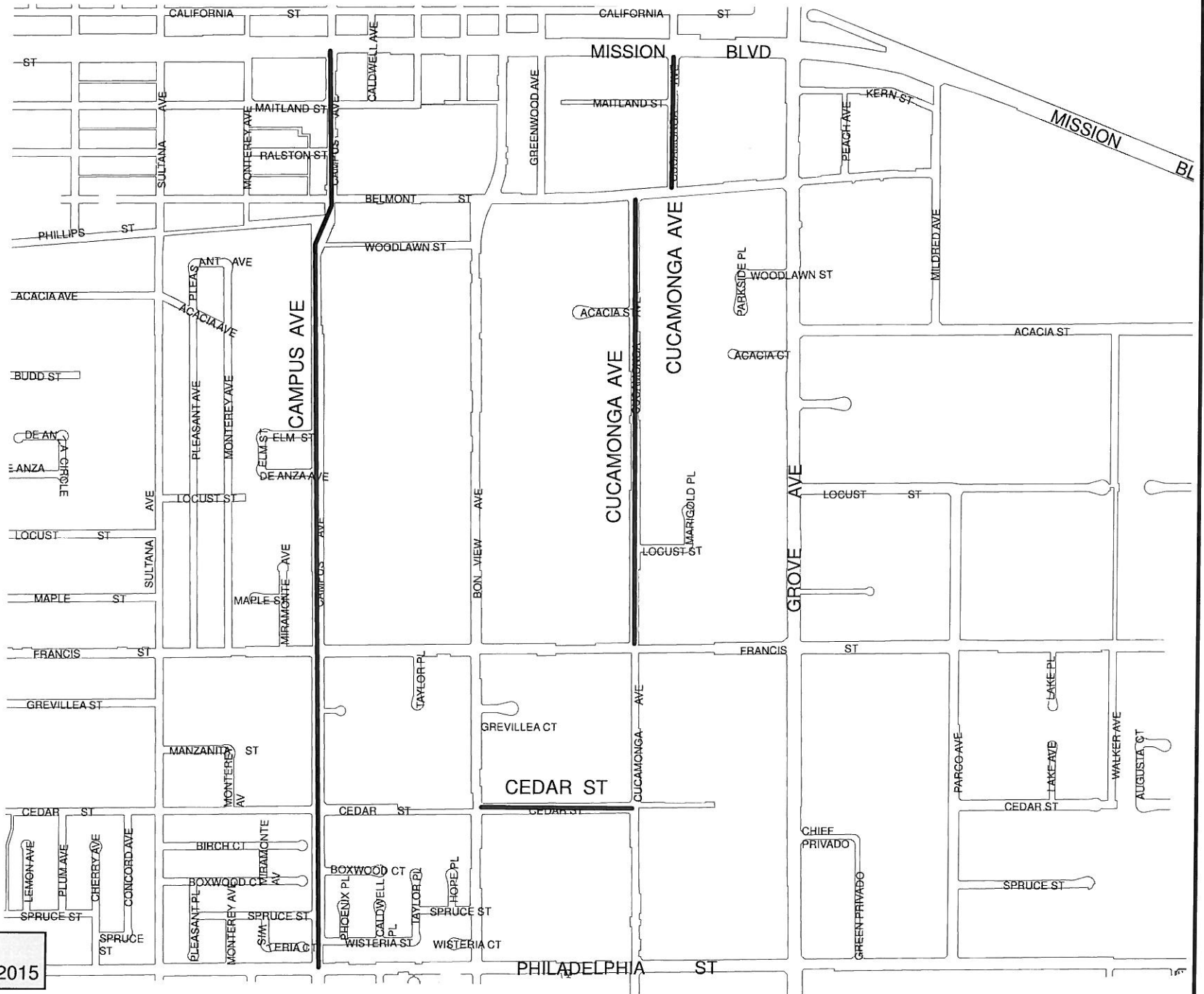
CITY OF ONTARIO
2015 COLLECTOR / ARTERIAL SLURRY SEAL
PROJECT AREA "B"



Legend

— Collector Arterial Slurry Seal 2015

CITY OF ONTARIO
2015 COLLECTOR / ARTERIAL SLURRY SEAL
PROJECT AREA "C"



Legend
— Collector Arterial Slurry 2015

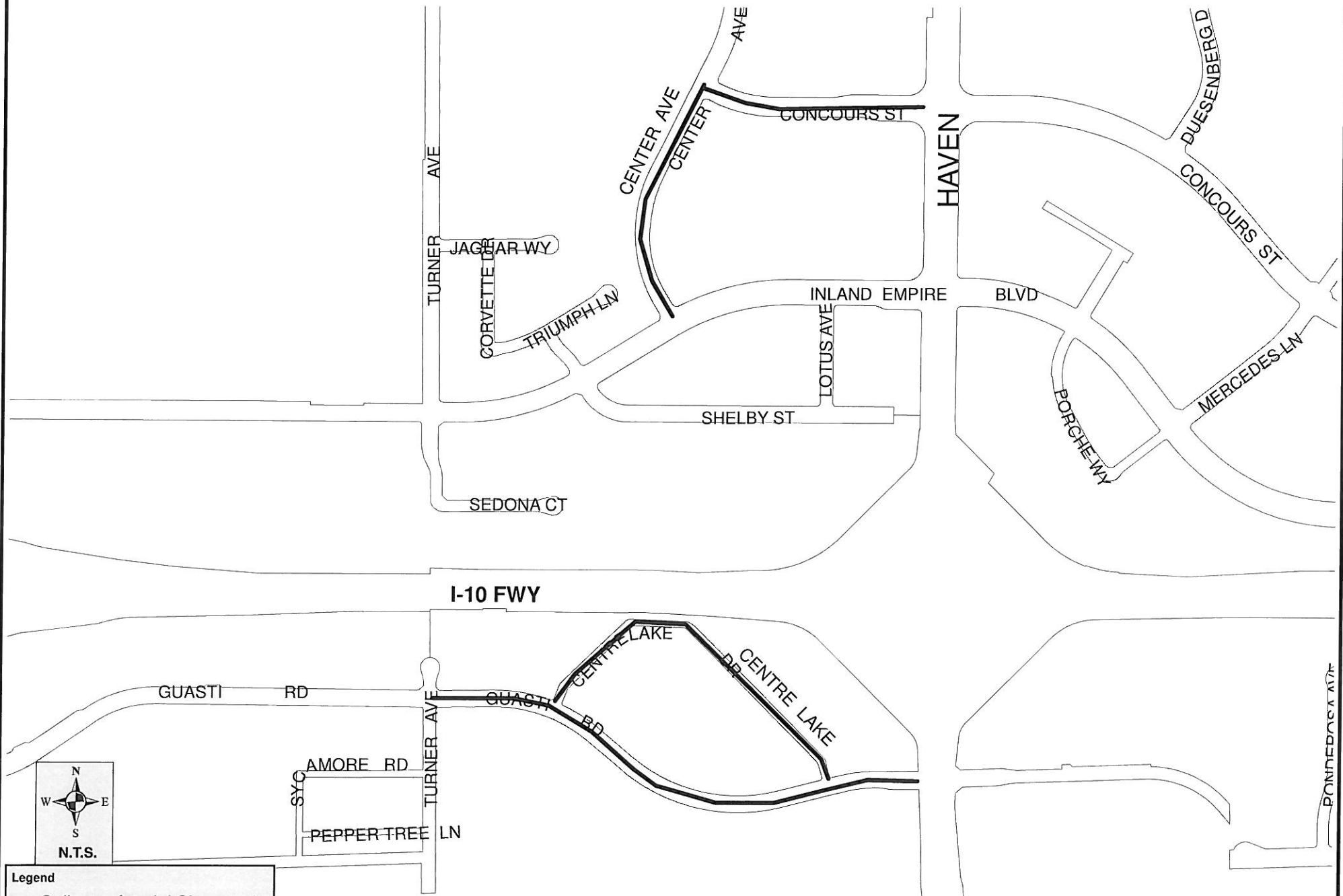
CITY OF ONTARIO
2015 COLLECTOR / ARTERIAL SLURRY SEAL
PROJECT AREA "D"



Legend

— Collector Arterial Slurry 2015

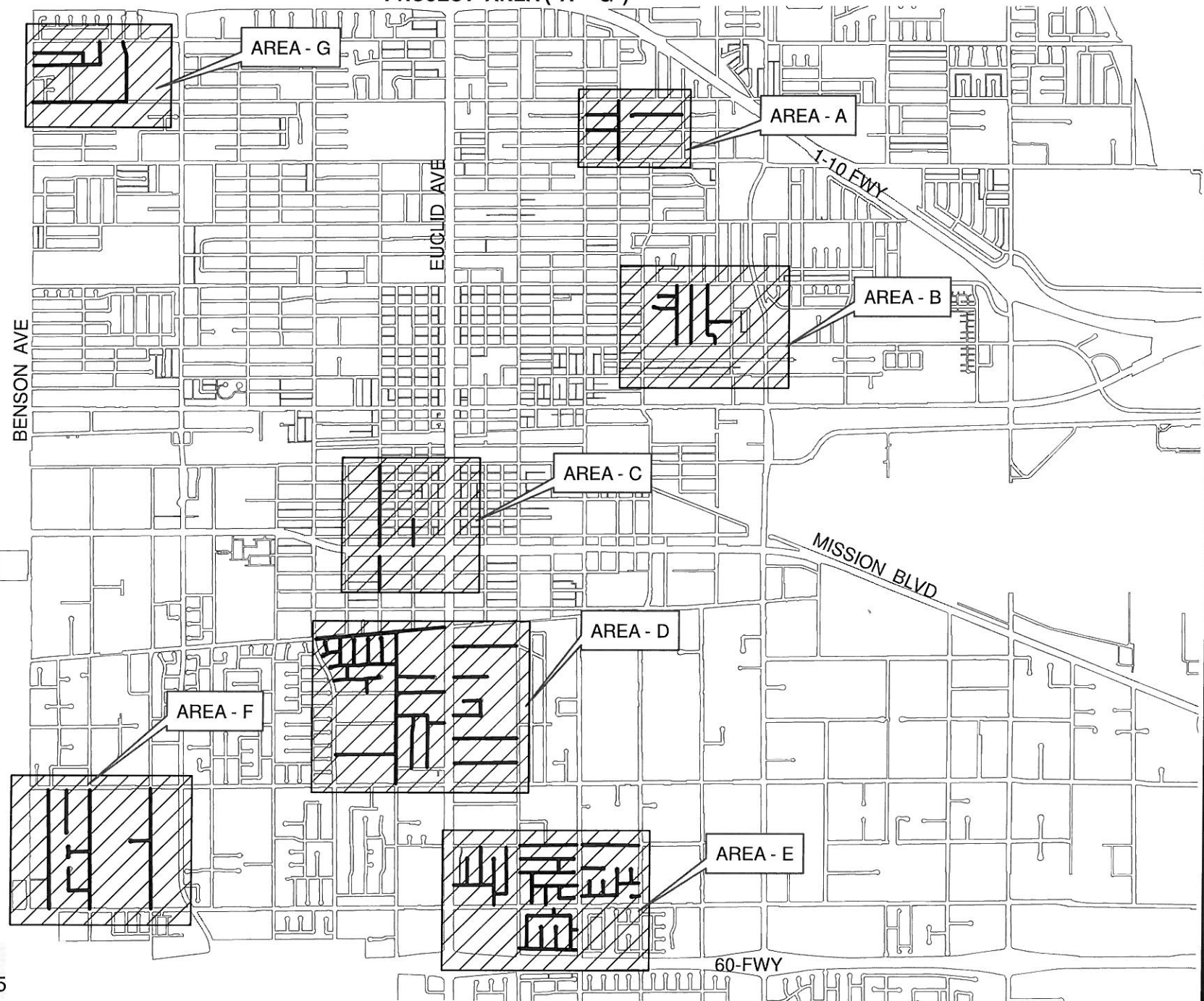
**CITY OF ONTARIO
2015 COLLECTOR / ARTERIAL SLURRY SEAL
PROJECT AREA "E"**



Legend
— Collector Arterial Slurry 2015

(EXHIBIT 8 OF 24)
CITY OF ONTARIO
2015 C.D.B.G. SLURRY SEAL
PROJECT AREA ("A"-"G")

PAGE 1-8



Legend

— CDBG SLURRY 2015

(EXHIBIT 9 OF 24)
CITY OF ONTARIO
2015 C.D.B.G. SLURRY SEAL
PROJECT AREA "A"

PAGE 2-8



Legend
— CDBG SLURRY 2015

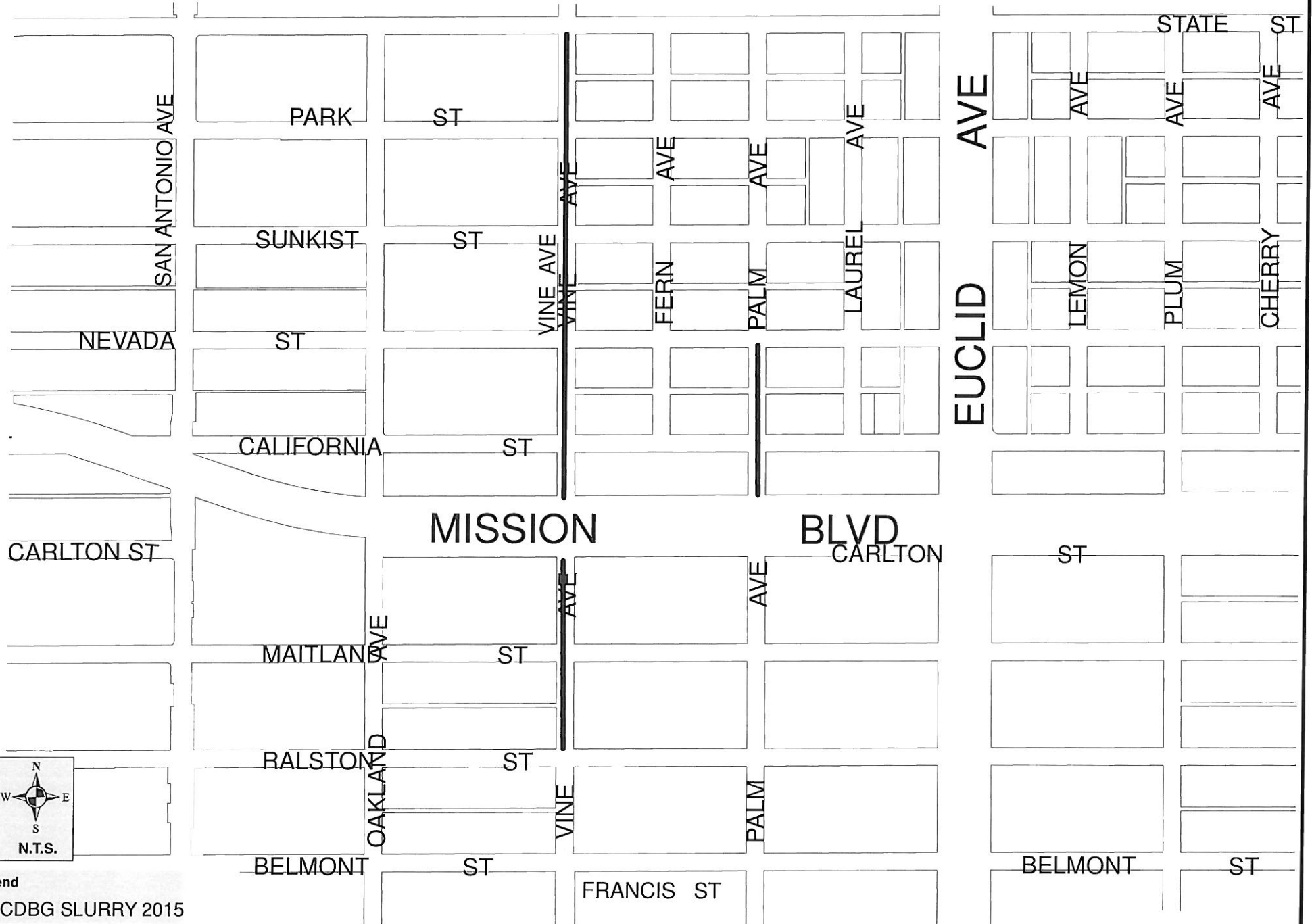
(EXHIBIT 10 OF 24)
CITY OF ONTARIO
2015 C.D.B.G. SLURRY SEAL
PROJECT AREA "B"

PAGE 3-8



(EXHIBIT 11 OF 24)
CITY OF ONTARIO
2015 C.D.B.G. SLURRY SEAL
PROJECT AREA "C"

PAGE 4-8



Legend

— CDBG SLURRY 2015

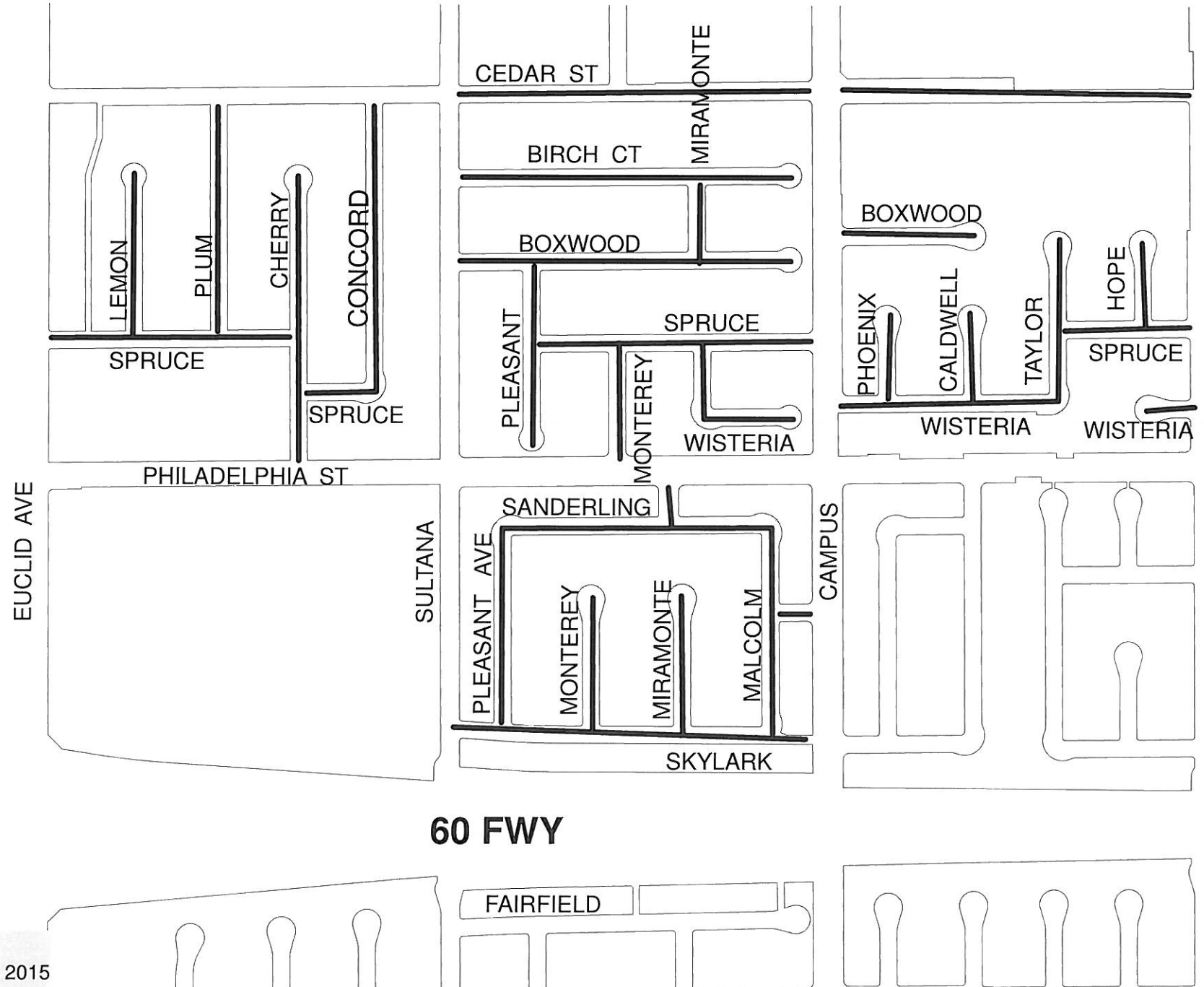
(EXHIBIT 12 OF 24)
CITY OF ONTARIO
2015 C.D.B.G. SLURRY SEAL
PROJECT AREA "D"

PAGE 5-8



(EXHIBIT 13 OF 24)
CITY OF ONTARIO
2015 C.D.B.G. SLURRY SEAL
PROJECT AREA "E"

PAGE 6-8



60 FWY



Legend


— CDBG SLURRY 2015

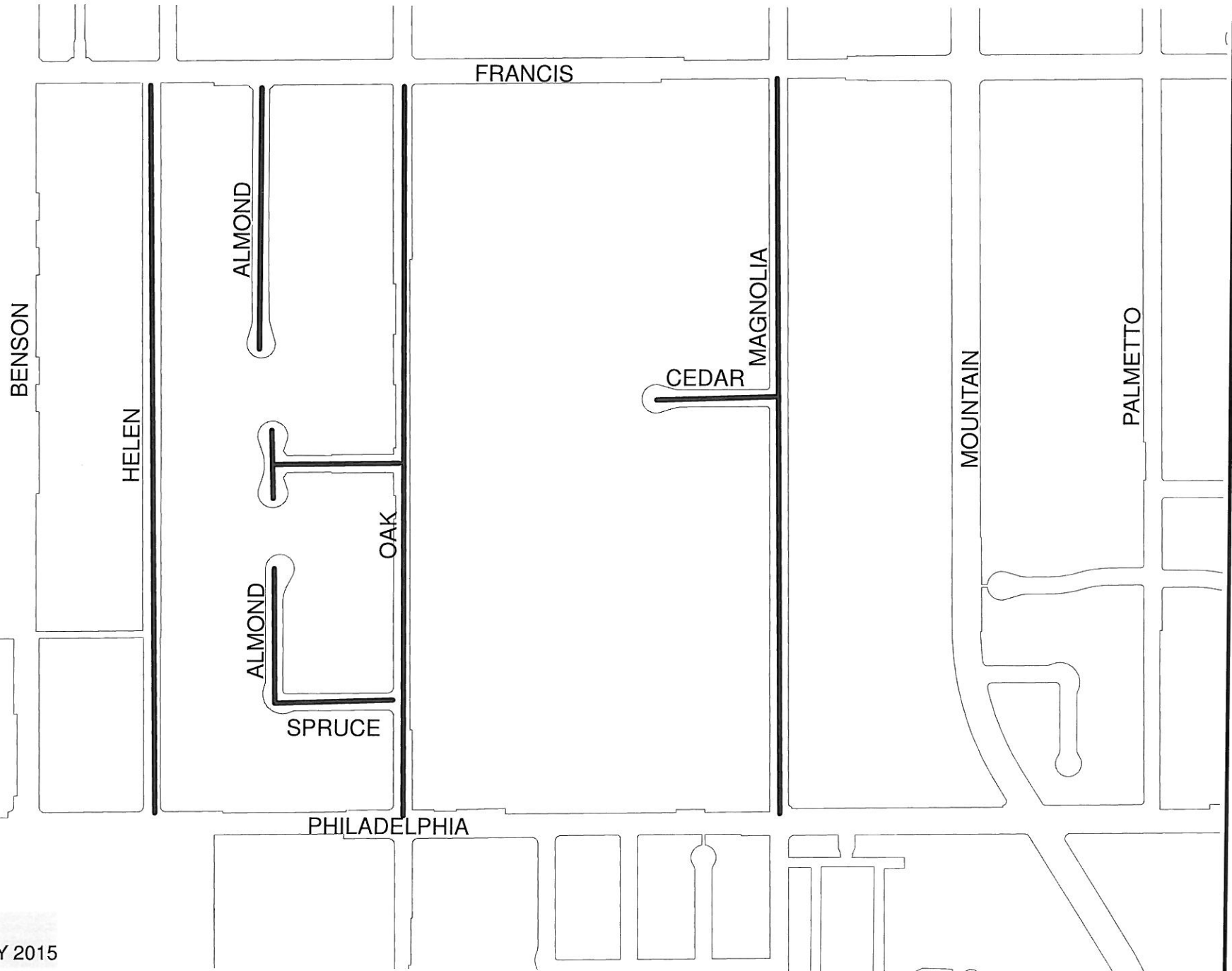
(EXHIBIT 14 OF 24)
CITY OF ONTARIO
2015 C.D.B.G. SLURRY SEAL
PROJECT AREA "F"

PAGE 7-8



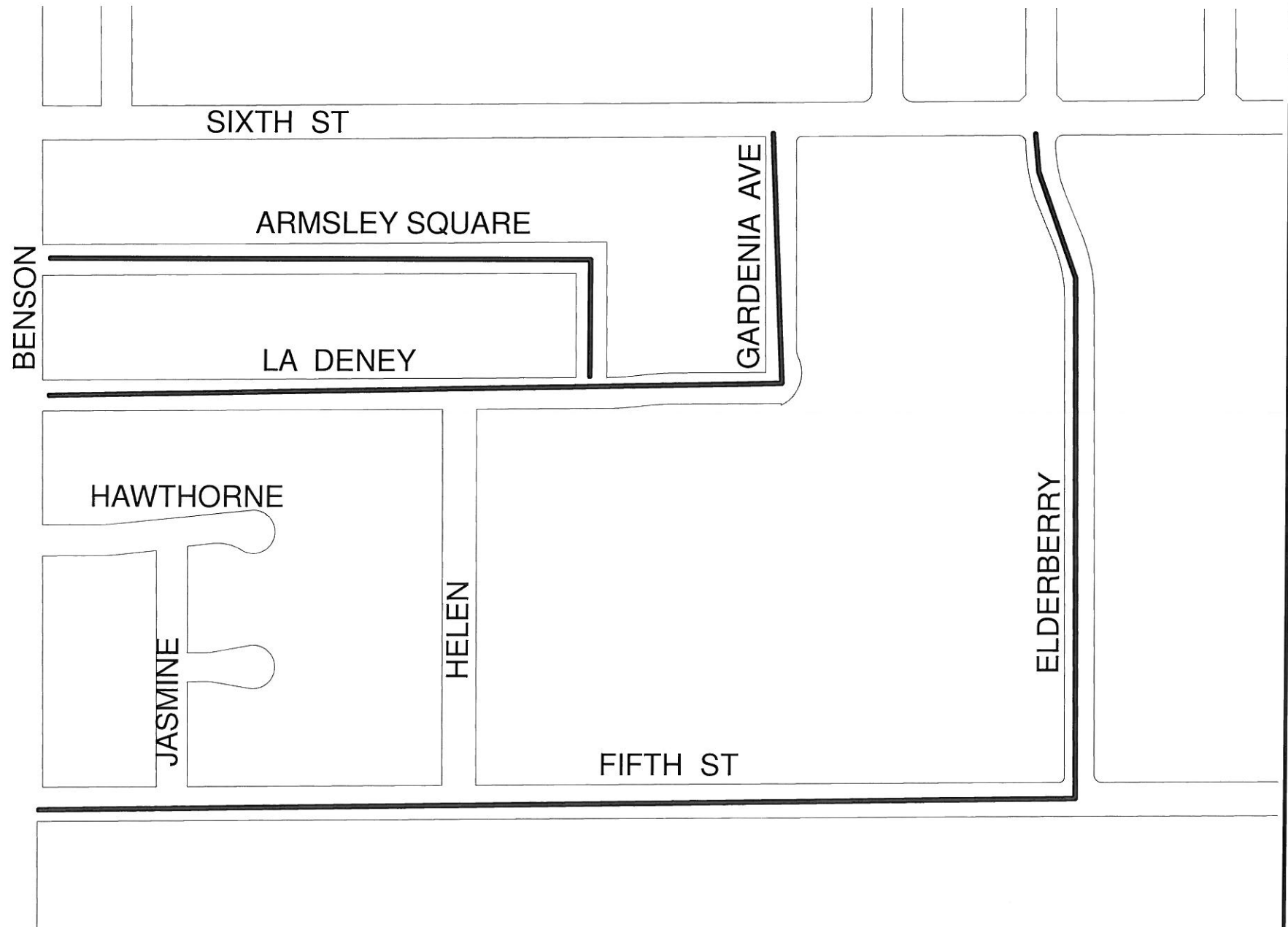
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 **CDBG SLURRY 2015**



(EXHIBIT 15 OF 24)
CITY OF ONTARIO
2015 C.D.B.G. SLURRY SEAL
PROJECT AREA "G"

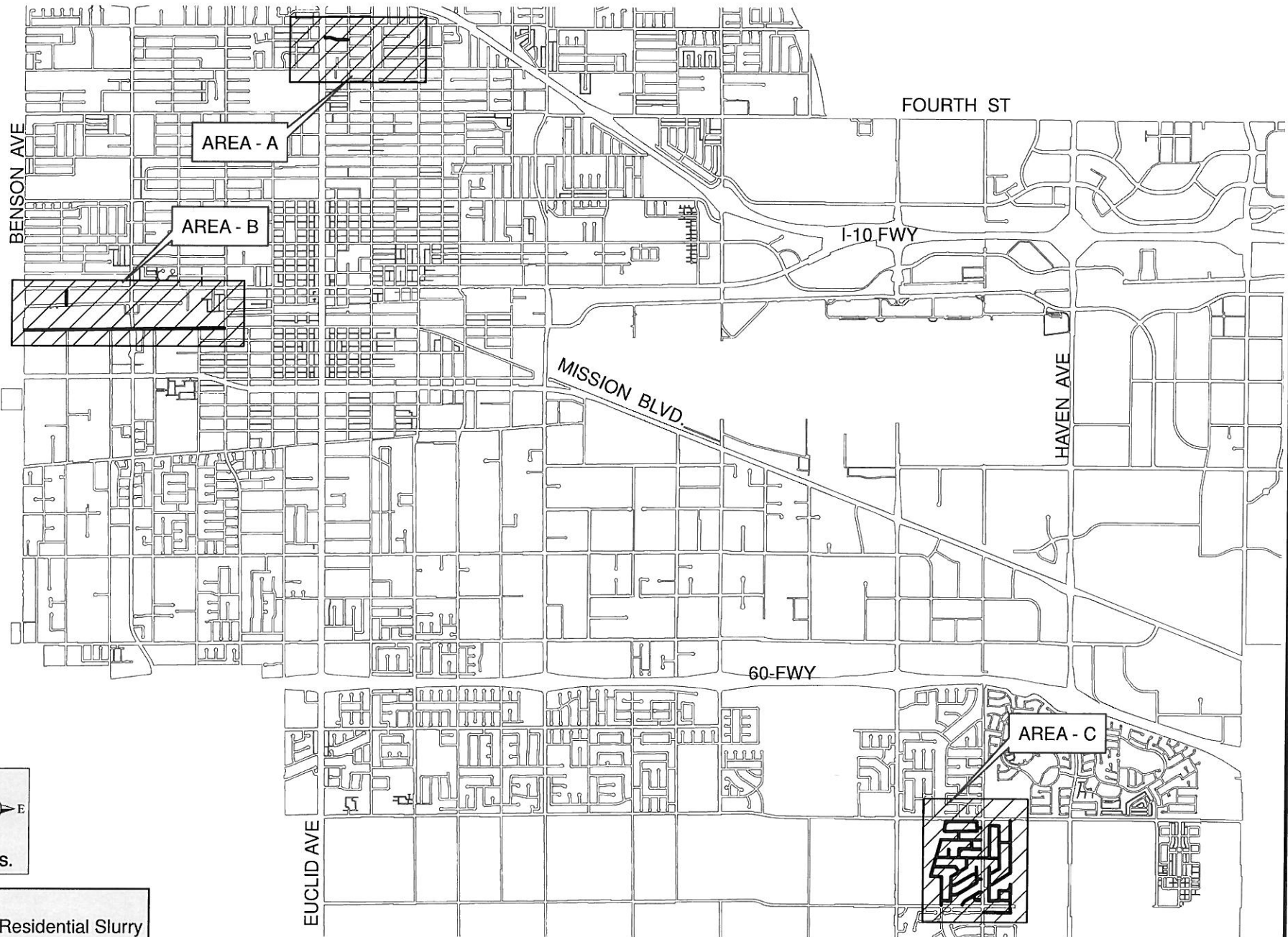
PAGE 8-8



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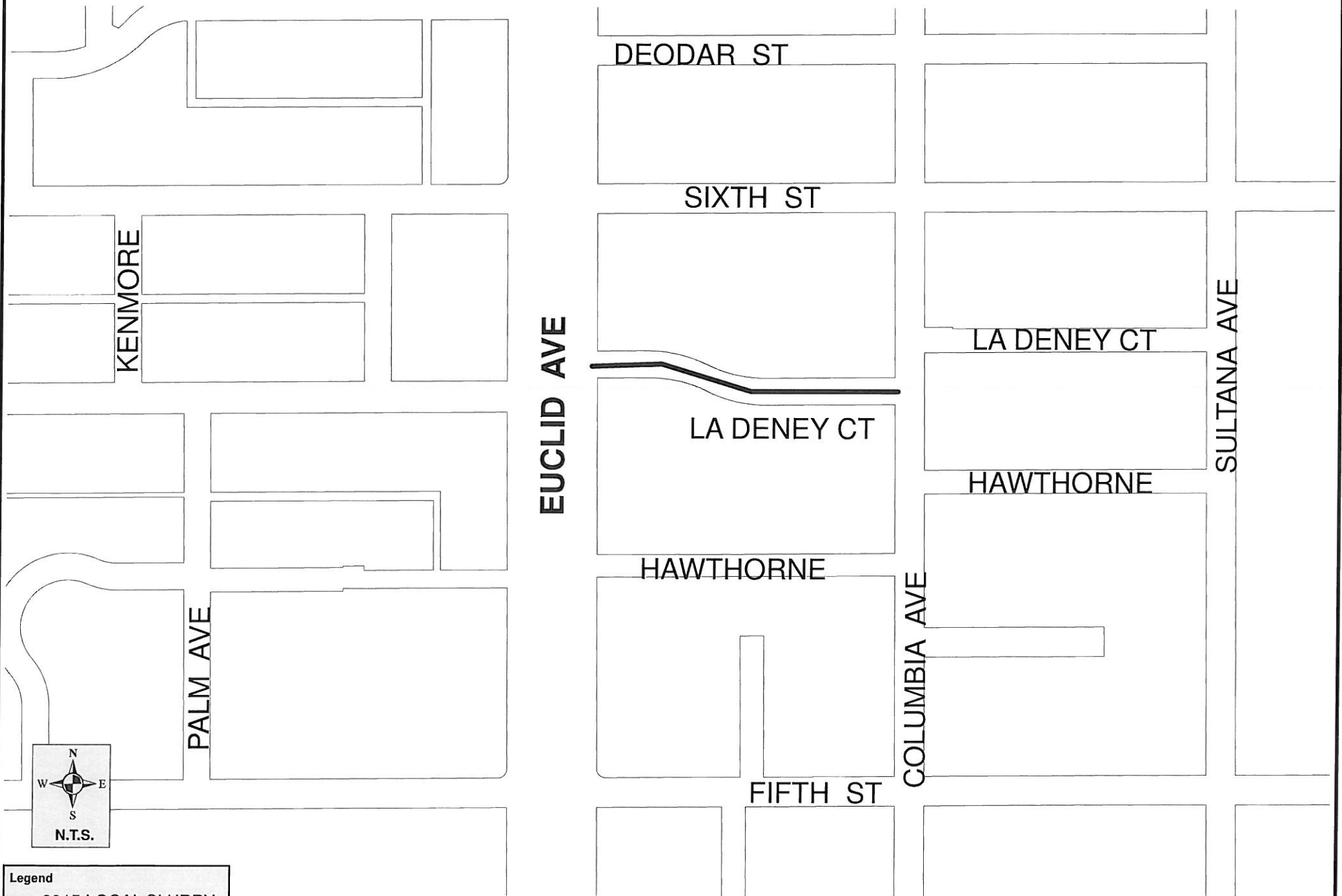
— CDBG SLURRY 2015

**CITY OF ONTARIO
2015 LOCAL SLURRY SEAL
PROJECT AREA "A"-"C"**



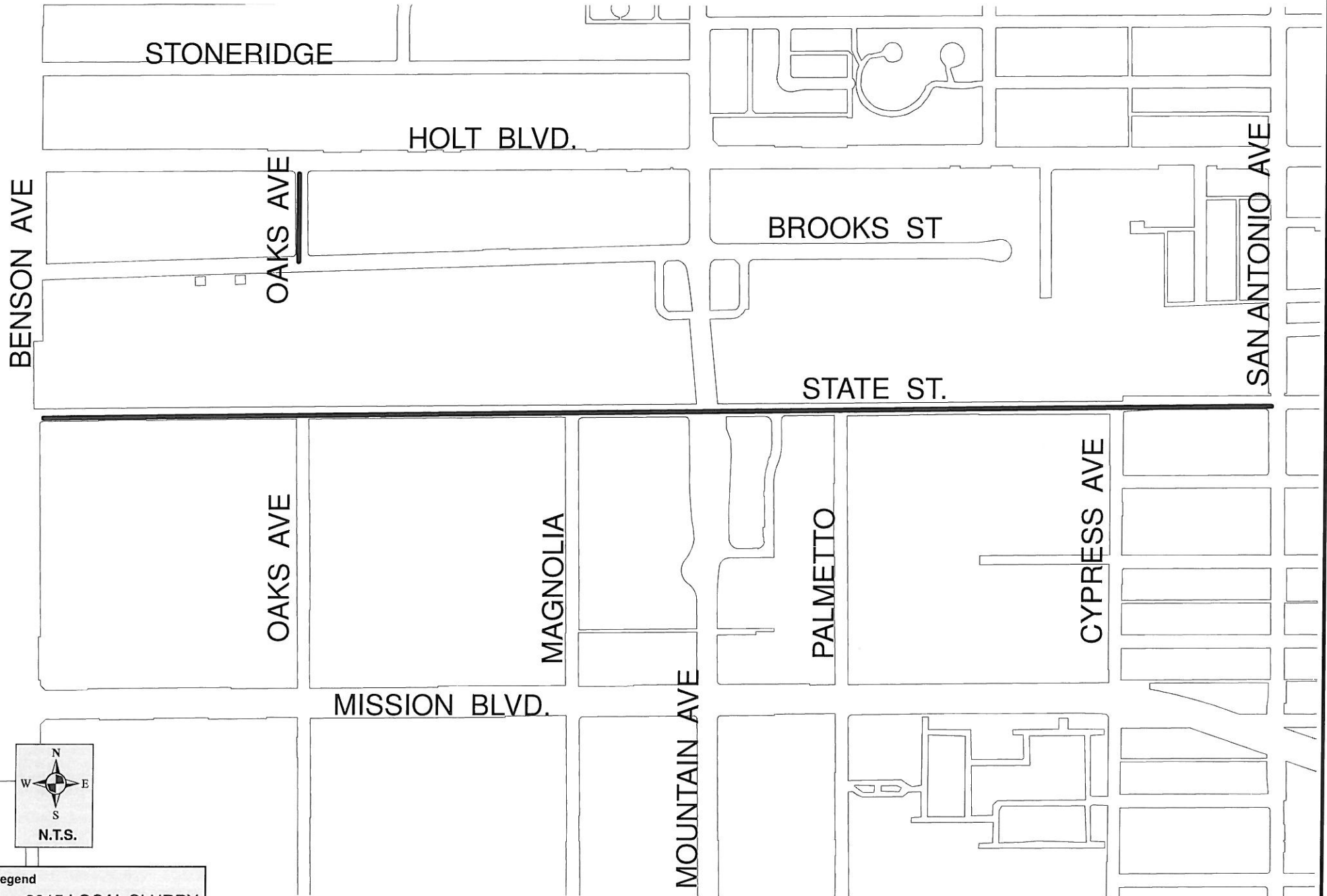
Legend
— 2015 Residential Slurry

(EXHIBIT 17 OF 24)
CITY OF ONTARIO
2015 LOCAL SLURRY SEAL
PROJECT AREA "A"



Legend
— 2015 LOCAL SLURRY

(EXHIBIT 18 OF 24)
CITY OF ONTARIO
2015 LOCAL SLURRY SEAL
PROJECT AREA "B"



(EXHIBIT 19 OF 24)
CITY OF ONTARIO
2015 LOCAL SLURRY SEAL
PROJECT AREA "C"

ARCHIBALD AVE

RIVERSIDE DR

ROAN

JOSHUA TREE

"E" ST

JOSHUA TREE

SILVER SADDLE

NORTH SHORE

TURNER AVE

CENTURION

AUTUMN RIDGE

RODEO

PEACH TREE

PALOMINO

GOLDEN TRAILS

ROCKY

ARCADIAN SHORES

LONGHORN

PLAINFIELD

BRONCO

COLT WAY

GREENBRIAR

CENTURION

GREENBRIAR

PONY

CLOVER

OLD ARCHIBALD

NORTHSHORE

PONY

STALLION WAY

STALLION WAY

CHINO AVE

SWEETWATER

ROCKY WAY

CLOVER

STALLION

THOROUGHBRED

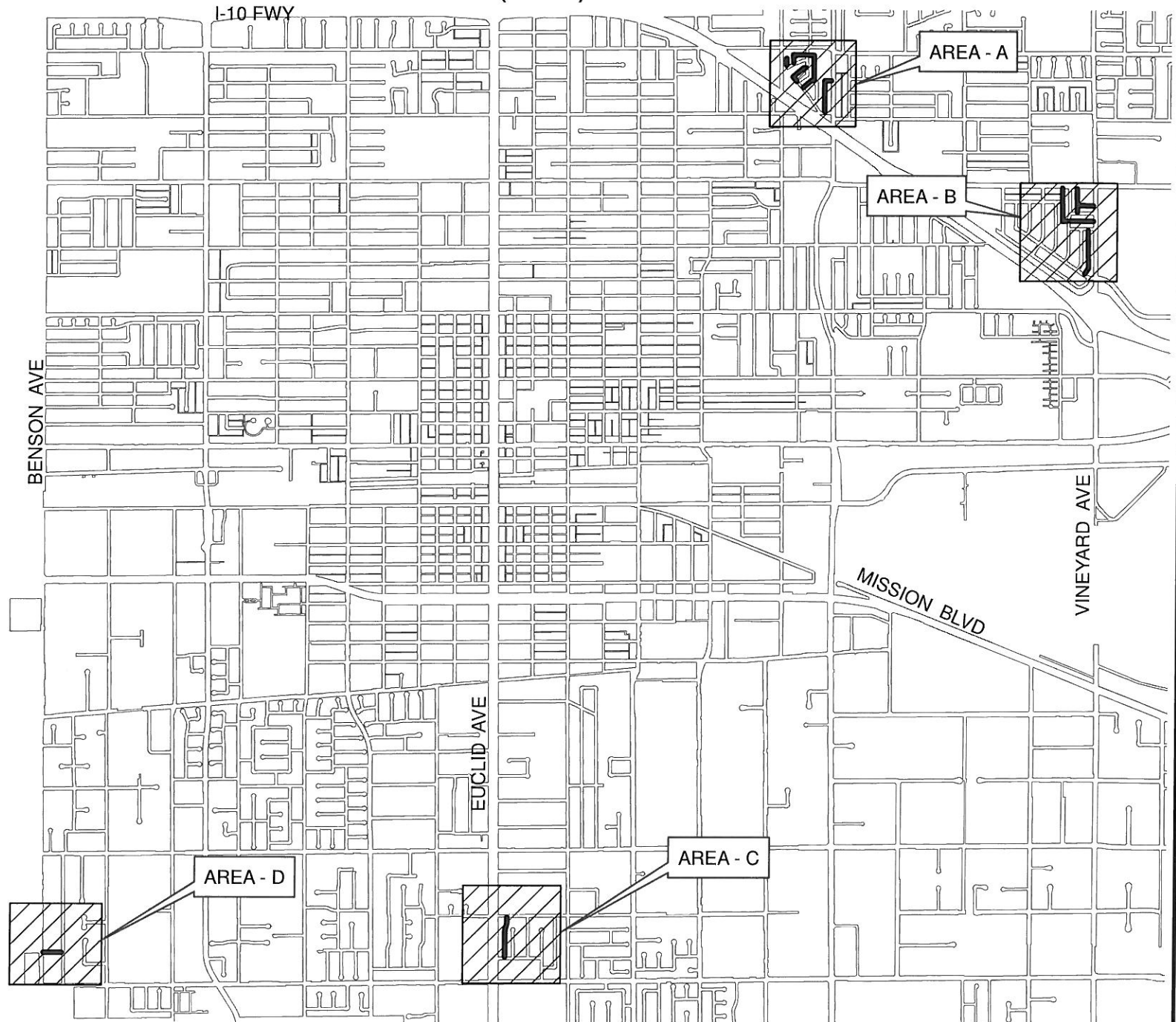


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— 2015 LOCAL SLURRY

(EXHIBIT 20 OF 24)
CITY OF ONTARIO
2015 C.D.B.G. ALLEY SLURRY IMPROVEMENT
PROJECT AREA ("A"-"D")

PAGE 1-5

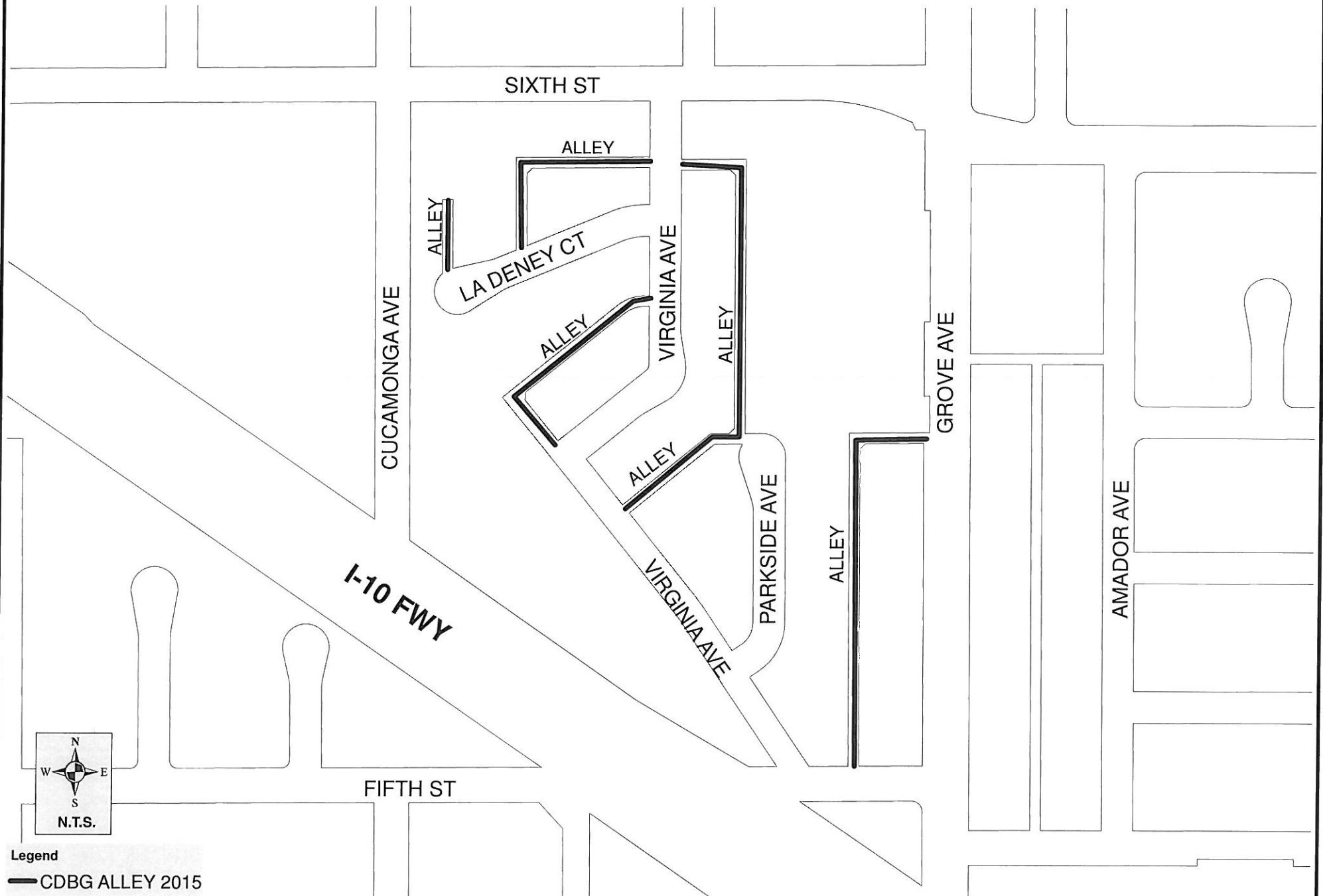


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 CDBG ALLEY 2015

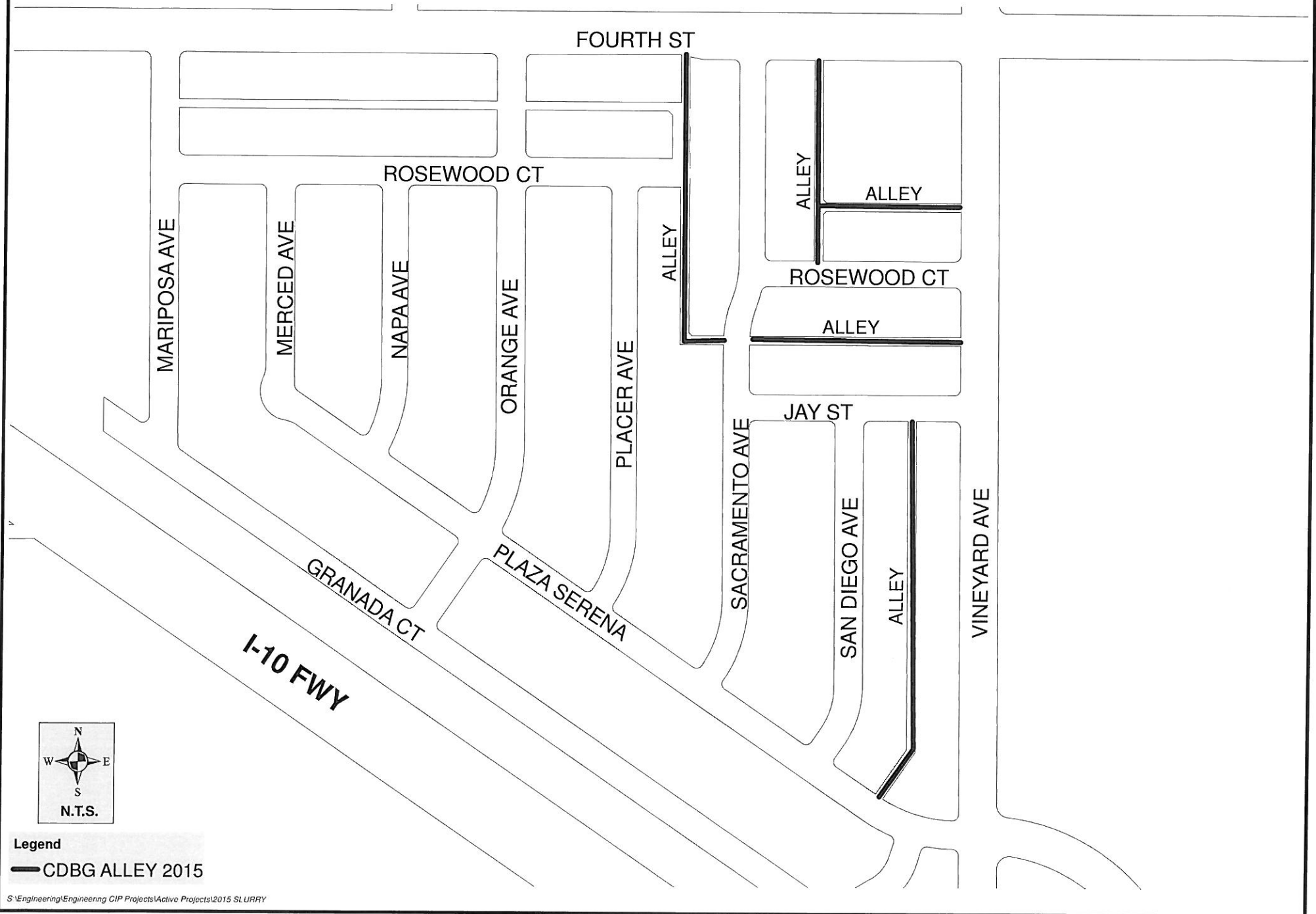
(EXHIBIT 21 OF 24)
CITY OF ONTARIO
2015 C.D.B.G. ALLEY SLURRY IMPROVEMENT
PROJECT AREA "A"

PAGE 2-5

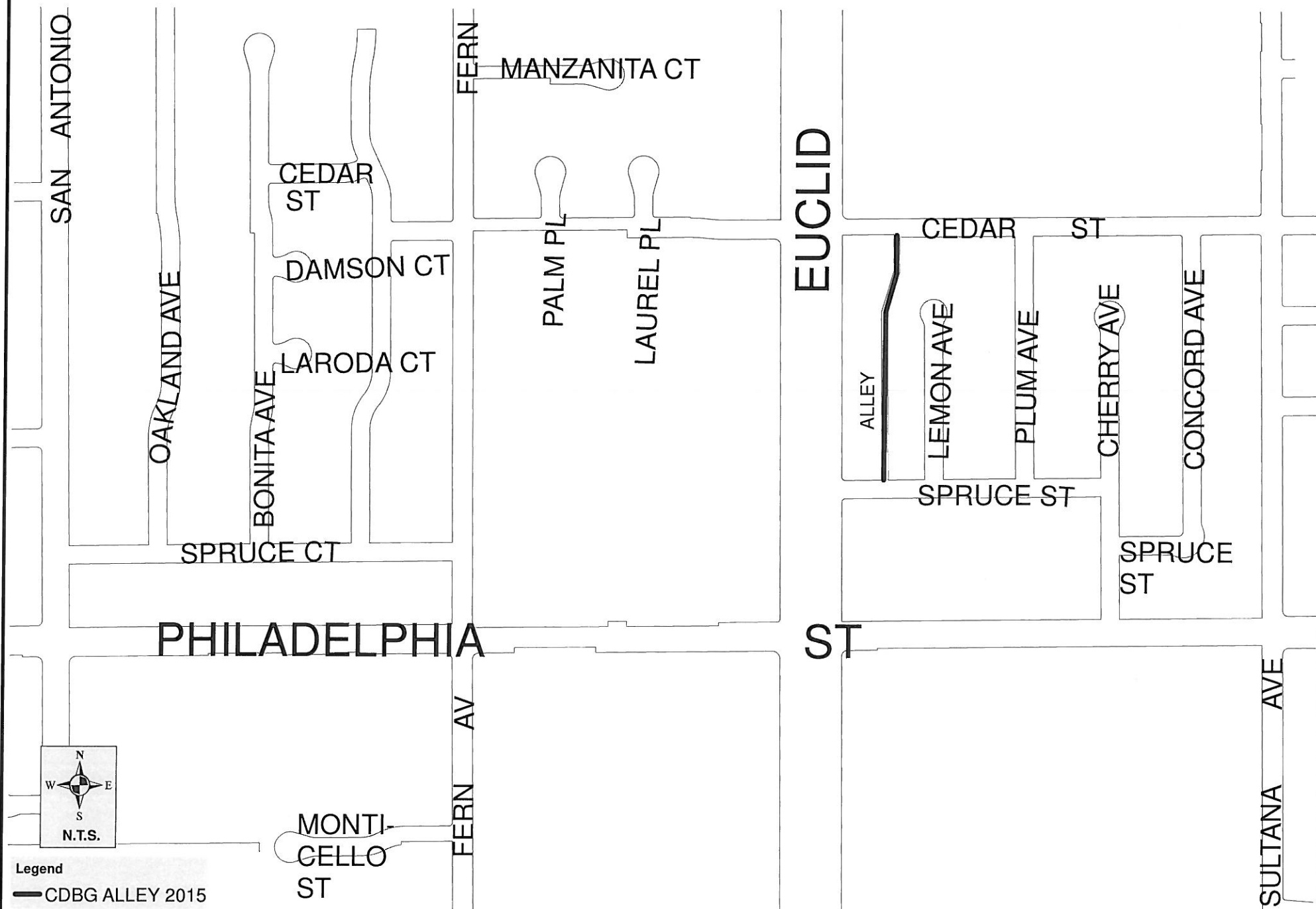


(EXHIBIT 22 OF 24)
CITY OF ONTARIO
2015 C.D.B.G. ALLEY SLURRY IMPROVEMENT
PROJECT AREA "B"

PAGE 3-6



CITY OF ONTARIO
2015 C.D.B.G. ALLEY SLURRY IMPROVEMENT
PROJECT AREA "C"



CITY OF ONTARIO
2015 C.D.B.G. ALLEY SLURRY IMPROVEMENT
PROJECT AREA "D"



CITY OF ONTARIO

Agenda Report
July 7, 2015

**SECTION:
CONSENT CALENDAR**

SUBJECT: A CONSTRUCTION CONTRACT FOR THE FY 2014-15 PAVEMENT REHABILITATION PROJECT AND CDBG FUNDED ALLEY RECONSTRUCTION

RECOMMENDATION: That the City Council approve the plans and specifications and award a construction contract (on file in the Records Management Department) to All American Asphalt of Corona, California, for the FY 2014-15 Pavement Rehabilitation Project and CDBG Funded Alley Reconstruction for the bid amount of \$2,281,410 plus a 15% contingency of \$342,212 for a total authorized amount of \$2,623,622; and authorize the City Manager to execute related documents necessary and file a notice of completion at the conclusion of all construction activities.

COUNCIL GOALS: Regain Local Control of the Ontario International Airport
Focus Resources in Ontario's Commercial and Residential Neighborhoods
Invest in the City's Infrastructure (Water, Streets, Sewers, Parks, Storm Drains and Public Facilities)

FISCAL IMPACT: The Fiscal Year 2014-15 Budget includes appropriations of \$2,055,955 from Measure I funds, \$521,000 from Gas Tax funds, and \$433,170 from Community Development Block Grant for a total budget of \$3,010,125 related to the Pavement Rehabilitation and CDBG Funded Alley Reconstruction Project. All American Asphalt submitted the lowest bid of \$2,281,410. A 15% contingency is recommended due to the need to extend project limits and the potential for additional repair work.

BACKGROUND: The scope of services for the FY 2014-15 Pavement Rehabilitation and CDBG Funded Alley Reconstruction Project includes cold planing, removal and replacement of damaged pavement, construction of Asphalt Rubber Hot Mix (ARHM) overlay, construction of ADA compliant access ramps, and placement of traffic striping, pavement markings, and raised markers.

The project locations include: rehabilitation of Baker Street from Riverside Drive to Fairfield Court (Project No. ST1401); Shelby Street from Inland Empire Boulevard to Haven Avenue (Project No. ST1402); Parco Avenue from Francis Street to Locust Street (Project No. ST1404); "D" Street from

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

Prepared by: Bill Braun
Department: Engineering

City Manager
Approval: 

Submitted to Council/O.H.A. 07/07/2015

Approved: _____

Continued to: _____

Denied: _____

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Sultana Avenue to Vineyard Avenue (Project No. ST1407); Convention Center Way from Holt Boulevard to Vineyard Avenue (Project No. ST1408); Edison Avenue from Euclid Avenue to Grove Avenue (Project No. ST1409); Mountain Avenue from Sixth Street to I-10 Freeway (Project No. ST1410); CDGB Funded Alley Reconstruction South of "G" Street, West of Lemon Street to East of Berlyn Avenue.

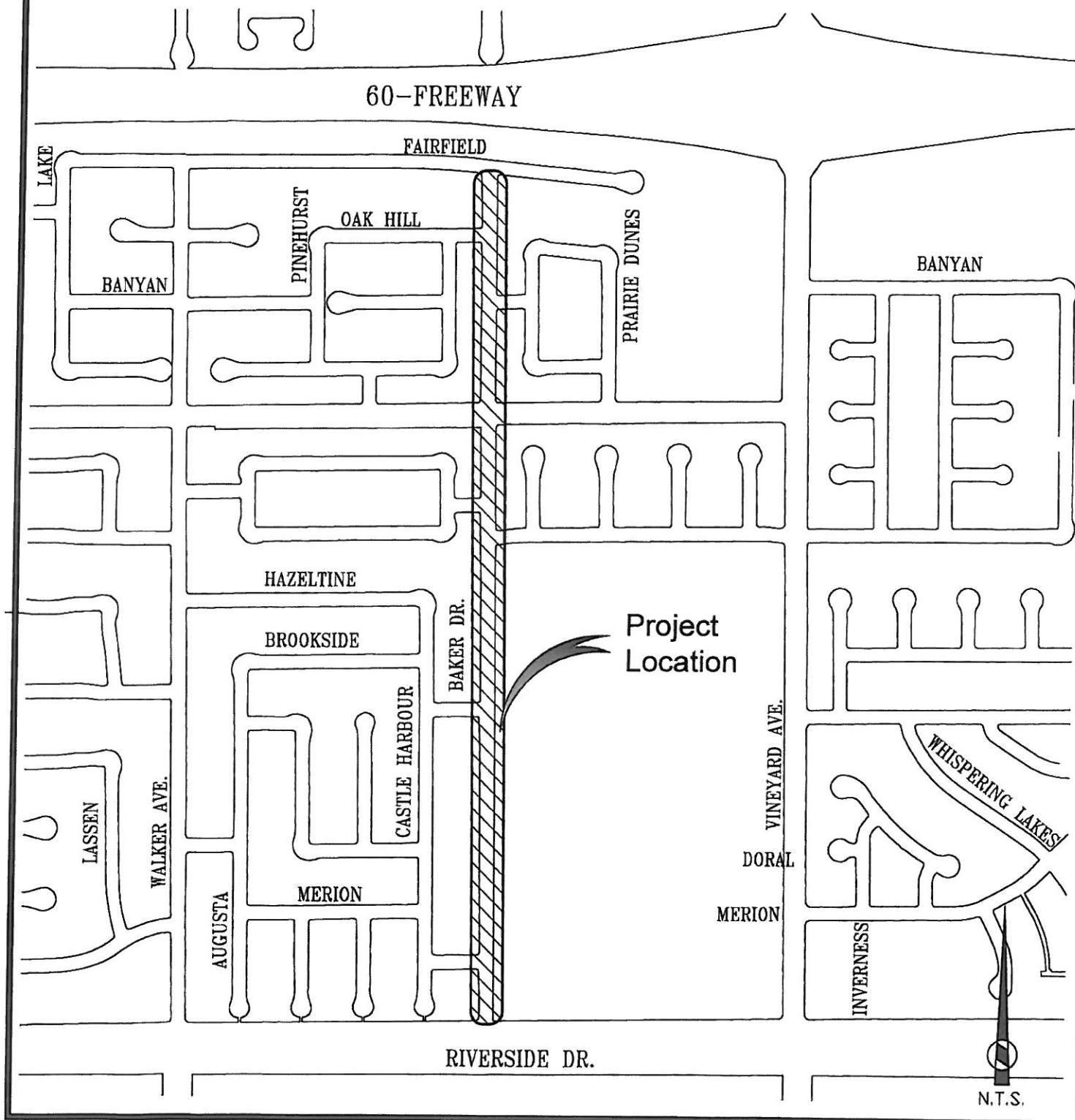
Location exhibits are attached for reference (Exhibits 1 through 8). This project will extend the lifespan of the streets by 10 to 20 years. It is anticipated that construction will start in July 2015 and be completed by October 2015.

In June 2015, the City solicited bids for this project; and three bids were received. The bid results are:

COMPANY	LOCATION	AMOUNT
All American Asphalt	Corona, CA	\$2,281,410
R.J. Noble Company	Orange, CA	\$2,487,985
Gentry Brothers	Irwindale, CA	\$2,871,702

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

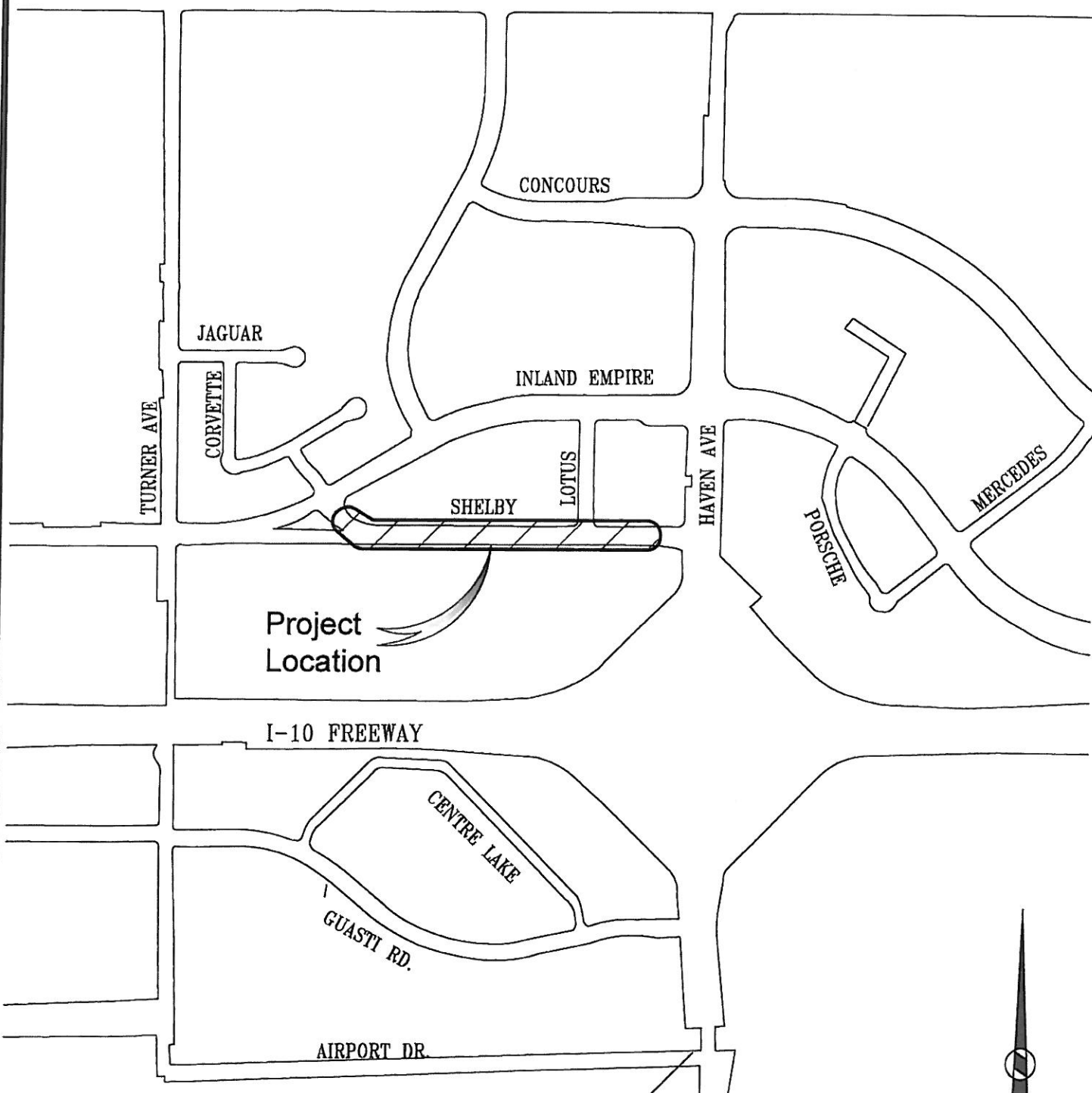
BAKER STREET PAVEMENT REHABILITATION Project No. ST1401 RIVERSIDE DR. TO FAIRFIELD CT.



SHELBY STREET PAVEMENT REHABILITATION

Project No. ST1402

INLAND EMPIRE BLVD. TO HAVEN AVENUE

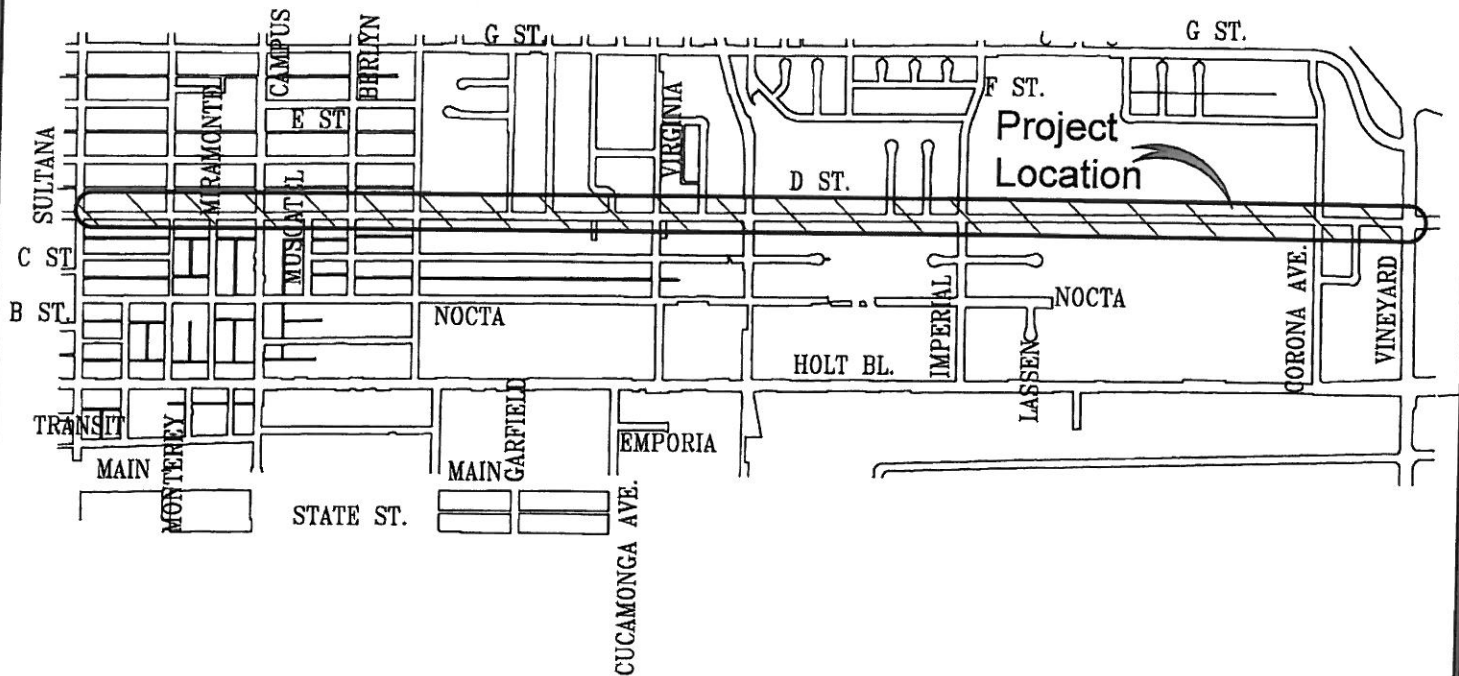


PARCO AVENUE PAVEMENT REHABILITATION Project No. ST1404 FRANCIS ST. TO LOCUST ST.



N.T.S.

“D” STREET PAVEMENT REHABILITATION Project No. ST1407 SULTANA AVE. TO VINEYARD AVE.

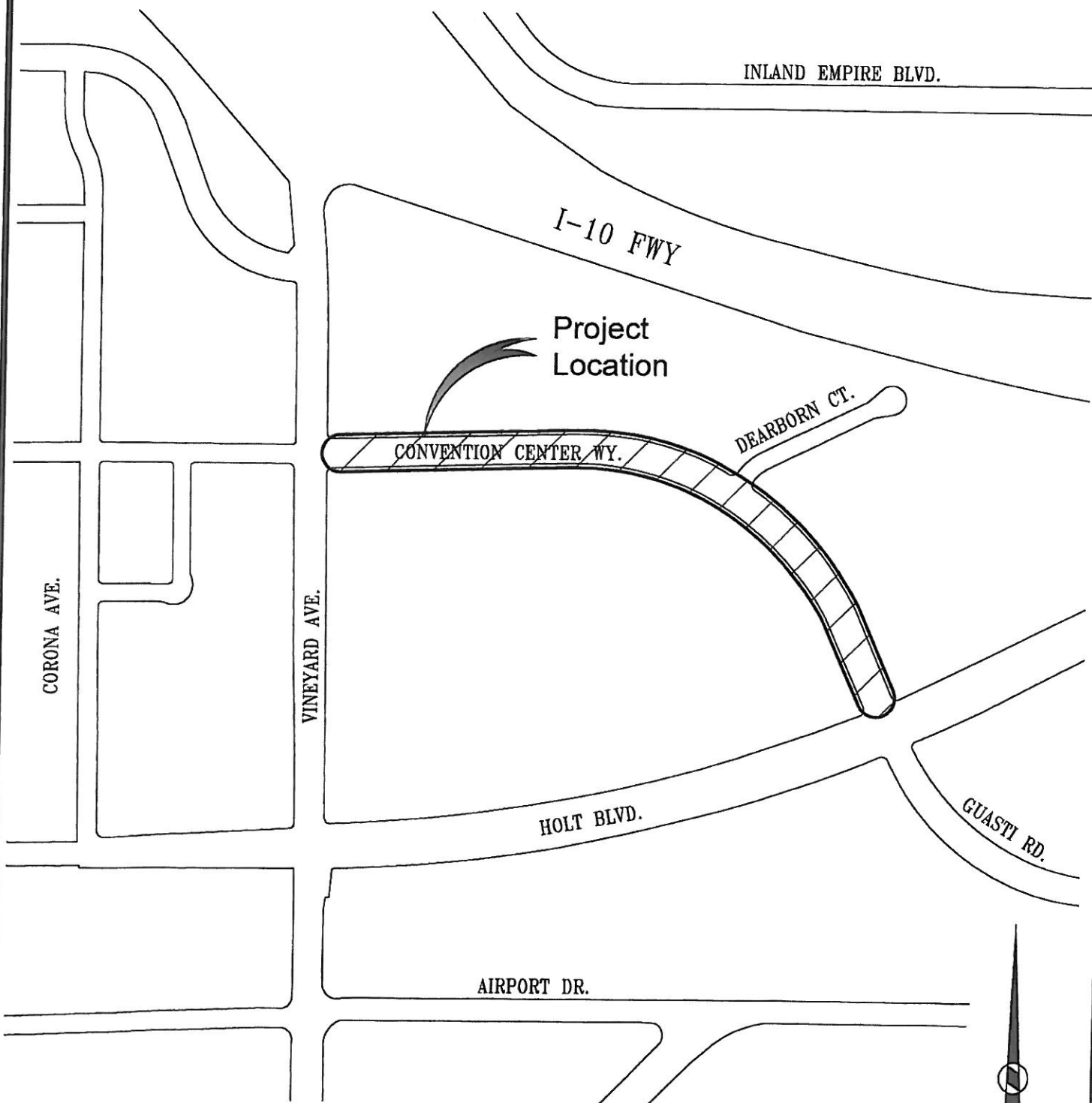


CONVENTION CENTER WAY PAVEMENT REHABILITATION

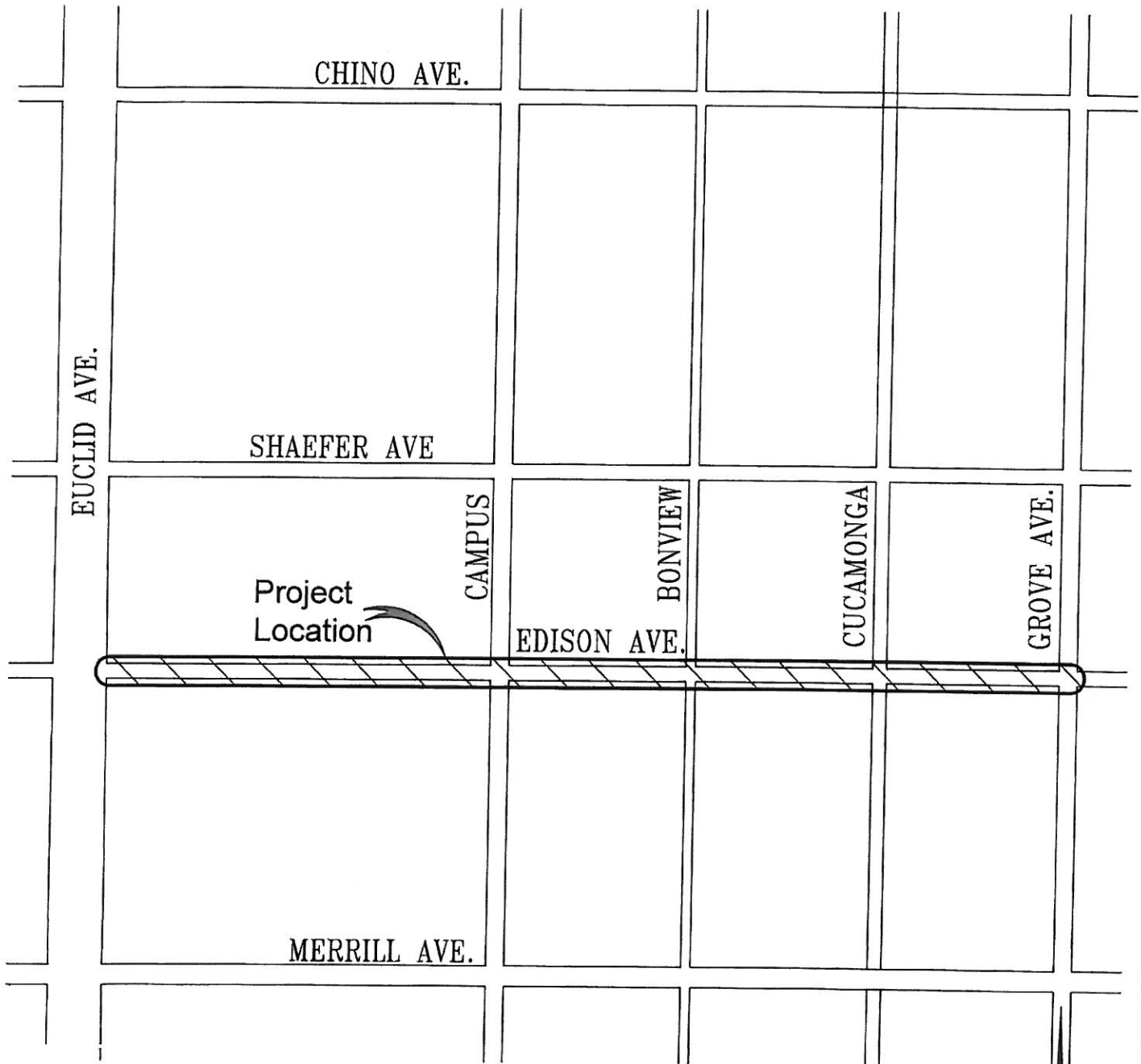
5 OF 8

Project No. ST1408

HOLT BLVD. TO VINEYARD AVE.



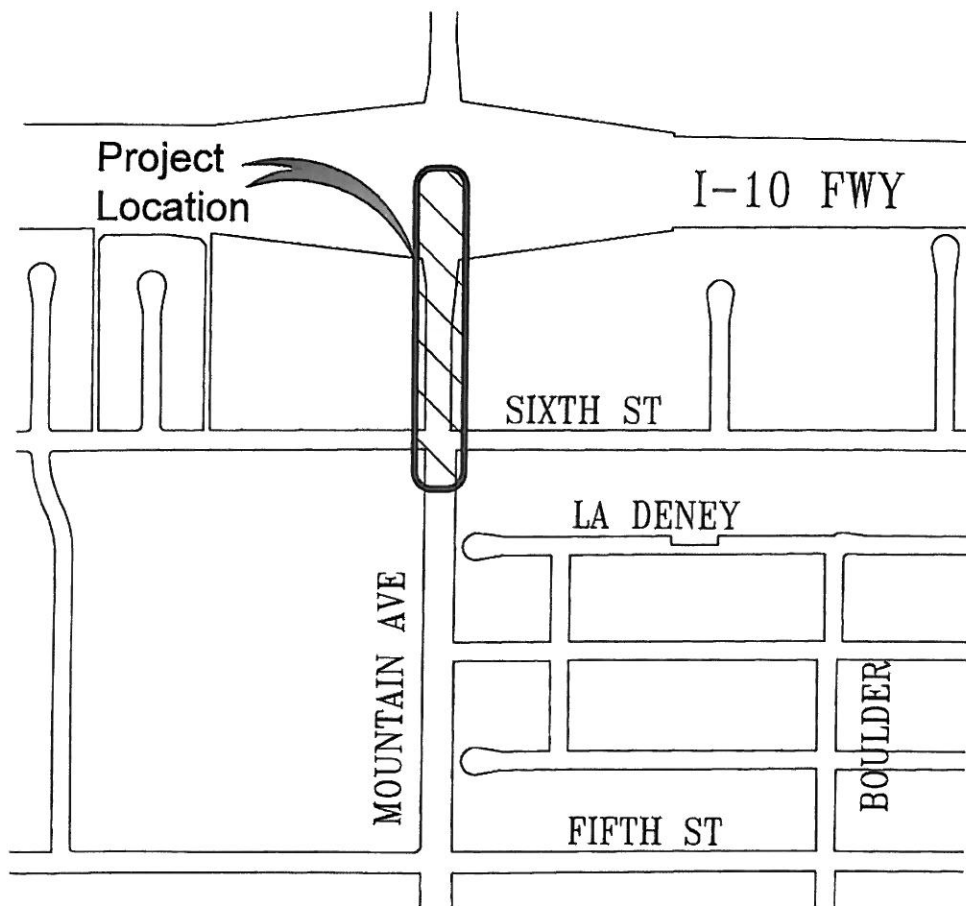
EDISON AVENUE PAVEMENT REHABILITATION Project No. ST1409 EUCLID AVE. TO GROVE AVE.



N.T.S.

MOUNTAIN AVENUE
PAVEMENT REHABILITATION
Project No. ST1410
SIXTH ST. TO I-10 FWY

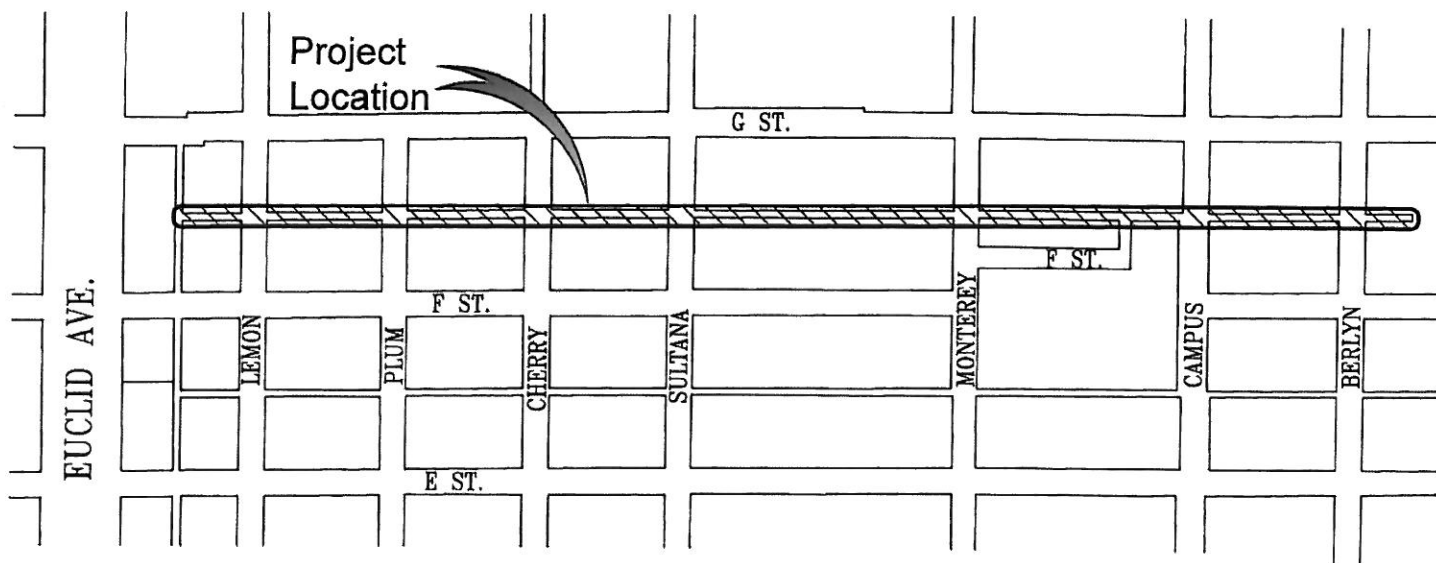
7 OF 8



CDBG ALLEY PAVEMENT CONSTRUCTION

SOUTH OF "G" STREET

WEST OF LEMON ST. TO EAST OF BERLYN AVE.



CITY OF ONTARIO

Agenda Report

July 7, 2015

SECTION: CONSENT CALENDAR

SUBJECT: ACCEPT A GRANT AWARD FROM THE FEDERAL EMERGENCY MANAGEMENT AGENCY / U.S. DEPARTMENT OF HOMELAND SECURITY (FEMA/DHS)

RECOMMENDATION: That the City Council accept a grant award from the Federal Emergency Management Agency / U.S. Department of Homeland Security (FEMA/DHS) in the amount of \$90,350 for the purchase of firefighter personal escape and rescue system equipment.

COUNCIL GOALS: Regain Local Control of the Ontario International Airport
Maintain the Current High Level of Public Safety
Pursue City's Goals and Objectives by Working with Other Governmental Agencies

FISCAL IMPACT: The estimated cost to purchase personal escape and rescue system equipment is \$90,350. The Federal share is 90%, or \$82,137, of the approved amount and FEMA/DHS requires a 10% local match of \$8,213. If approved, grant revenue and associated expenditure appropriations will be included in the next quarterly budget report to the City Council. If the City obtains favorable bid results in the procurement of the 130 firefighter personal escape and rescue systems (PERS), any remaining grant funds are recommended to be spent on similar fire operations and safety equipment pursuant to the granting agency's program guidance. The ongoing maintenance and replacement of this equipment will be incorporated into the Fire Department's existing annual maintenance and equipment replacement programs.

BACKGROUND: In December 2014, the Ontario Fire Department applied for funds offered through the FY 2014 FEMA/DHS Assistance to Firefighters Grant (AFG) Program to purchase 130 firefighter personal escape and rescue systems. Notice of a successful award and grant guidelines were received on June 19, 2015.

Firefighters depend on personal escape and rescue systems in order to safely remove themselves from an uncontrolled emergency situation such as a partial collapse, multi-story structure fire escape scenario, and other dangerous environments. Current department self-escape rope systems lack consistency and

STAFF MEMBER PRESENTING: Floyd E. Clark, Fire Chief

Prepared by: Cathy Thomas

Department: Fire

City Manager

Approval: 

Submitted to Council/O.H.A. 07/07/2015

Approved: _____

Continued to: _____

Denied: _____

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vary considerably between apparatus, which impacts the ability to train and test efficiently. These new deployable rope systems are considered industry best practice support equipment and are National Fire Protection Association (NFPA) compliant.

By accepting this award, the Fire Department will use the funds provided through the FY 2014 AFG in accordance with the Articles of Agreement and program guidelines provided in the FY 2014 AFG program guidance. The Fire Department will maintain all equipment in a high state of readiness and commit to any training needs required to place the equipment into service.

CITY OF ONTARIO

Agenda Report
July 7, 2015

**SECTION:
CONSENT CALENDAR**

SUBJECT: MAINTENANCE SERVICE AGREEMENT FOR FIRE SPRINKLER AND KITCHEN SUPPRESSION SYSTEM SERVICES AT VARIOUS CITY LOCATIONS

RECOMMENDATION: That the City Council authorize the City Manager to execute a three-year Maintenance Service Agreement (on file in the Records Management Department) with Cal Building Systems, Inc. of Brea, California, for an annual cost of \$29,512; authorize the addition of future service areas; and authorize the option to extend the agreement for up to two additional years consistent with City Council approved budgets.

**COUNCIL GOALS: Regain Local Control of the Ontario International Airport
Operate in a Businesslike Manner**

FISCAL IMPACT: The annual cost of the proposed Maintenance Service Agreement is estimated to be \$29,512, plus \$9,300 for urgency services for a total annual amount of \$38,812 during each of the first three years beginning Fiscal Year 2015-16. The cost for fire sprinkler and kitchen suppression services is funded from the General Fund and is included in the baseline operating budget.

At the City's discretion, two additional one-year extensions may be exercised, and pricing for these optional years will be at the same annual amount of \$38,812 per year. Future contracting actions will be commensurate with City Council authorized work programs and budgets. Contracting for the multi-year period will allow the City to limit the potential for yearly increases to the bid amounts, avoid the costs of re-bidding the contract annually, and provide service continuity and project future costs.

BACKGROUND: The Maintenance Service Agreement scope provides regularly scheduled fire sprinkler and kitchen suppression system maintenance services. The City's facilities inventory includes 18 sites for fire sprinkler and kitchen suppression system services. The buildings range in use from office/professional to community recreation to public safety.

STAFF MEMBER PRESENTING: Brent D. Schultz, Housing and Municipal Services Director

Prepared by: Pat Malloy
Department: Municipal Services

City Manager
Approval: 

Submitted to Council/O.H.A. 07/07/2015

Approved: _____

Continued to: _____

Denied: _____

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In June 2015, the City solicited proposals for Fire Sprinkler and Kitchen Suppression System Services. One proposal was received from the following:

<u>Vendor</u>	<u>Location</u>	<u>Bid Amount</u>
Cal Building Systems, Inc.	Brea, CA	\$29,512

Cal Building Systems, Inc. submitted a proposal that met all the specifications required of the Maintenance Service Agreement. Staff recommends award to Cal Building Systems, Inc., based on the quality of proposal, credentials, pricing, positive references/experience with other public sector entities, and ability to respond to urgencies in a timely manner.

CITY OF ONTARIO

Agenda Report
July 7, 2015

SECTION:
CONSENT CALENDAR

SUBJECT: MAINTENANCE SERVICE AGREEMENTS FOR ON-CALL URGENCY CONTRACTOR SERVICES AT VARIOUS CITY LOCATIONS

RECOMMENDATION: That the City Council authorize the City Manager to execute three-year On-Call Maintenance Service Agreements (on file in the Records Management Department) with Rymax Electric, Inc., of Brea, California, EL Plumbing Corp., of La Verne, California, and Vortex Industries, Inc., of Riverside, California; and authorize the City Manager to extend the agreements for up to two additional years consistent with City Council approved budgets.

**COUNCIL GOALS: Regain Local Control of the Ontario International Airport
Operate in a Businesslike Manner**

FISCAL IMPACT: Each contractor will be compensated on an on-call, as-needed basis at the rates set forth in their respective agreements for the contract terms ending June 30, 2018, unless earlier terminated by the City. The fee structures will remain unchanged for the duration of the agreements. The maintenance costs for the on-call services will be funded from the General Fund, and are included in the baseline operating budget.

BACKGROUND: The current on-call maintenance service agreements expire on June 30, 2015. On-call services address urgent electrical, plumbing, and overhead and pedestrian door installation and repair services, when there is not adequate time to bid out specific project scopes of services.

In June 2015, the City solicited proposals for Electrical, Plumbing, and Overhead and Pedestrian Door Services. Proposals were received from the following:

STAFF MEMBER PRESENTING: Brent D. Schultz, Housing and Municipal Services Director

Prepared by: Pat Malloy
Department: Municipal Services

City Manager
Approval: 

Submitted to Council/O.H.A. 07/07/2015

Approved: _____

Continued to: _____

Denied: _____

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Electrical Services

Vendor

Rymax Electric, Inc.

GA Technical Services, Inc. (non-responsive)

My Electrician, Inc. (non-responsive)

Tamang Electric, Inc. (non-responsive)

Location

Upland, CA

Rancho Cucamonga, CA

Temecula, CA

Chino, CA

Rymax Electric, Inc. submitted a proposal that met all the specifications required of the Maintenance Service Agreement. The other three (3) bidders were deemed non-responsive due to failure to submit bid schedules or other necessary documents that were required as part of the bidding process. Staff recommends award to Rymax Electric, Inc., based on the quality of proposal, credentials, pricing, positive references, and ability to respond to urgencies in a timely manner.

Plumbing Services

Vendor

EL Engineering Corp.

Hoffman Southwest Corp.

Pro Craft Construction Inc.

Waterworks Plumbing

Verne's Plumbing (non-responsive)

Location

La Verne, CA

Mission Viejo, CA

Redlands, CA

Rancho Cucamonga, CA

Buena Park, CA

After reviewing and rating each of the responses, according to the scoring criteria outlined in the scope of work, staff determined that EL Engineering Corp. submitted a proposal that met all the specifications required of the Maintenance Service Agreement. Verne's Plumbing was deemed non-responsive due to failure to submit a bid schedule that was required as part of the bidding process. Staff recommends award to EL Plumbing Engineering Corp., based on the quality of proposal, credentials, pricing, positive references, and ability to respond to urgencies in a timely manner.

Overhead/Pedestrian Doors

Vendor

Vortex Industries, Inc.

Action Door Repair Corporation (non-responsive)

Commercial Door Company (non-responsive)

GMAT dba Inland Overhead Door (non-responsive)

New Millennium Construction Services (non-responsive)

Location

Upland, CA

Huntington Park, CA

Pomona, CA

Colton, CA

Chino Hills, CA

After reviewing the responses, according to the scoring criteria outlined in the scope of work, staff determined that Vortex Industries, Inc. submitted a proposal that met all the specifications required of the Maintenance Service Agreement. The other four (4) bidders were deemed non-responsive due to failure to submit bid schedules or other necessary documents that were required as part of the bidding process. Staff recommends award to Vortex Industries, Inc., based on the quality of proposal, credentials, pricing, positive references, and ability to respond to urgencies in a timely manner.

CITY OF ONTARIO

Agenda Report
July 7, 2015

SECTION: CONSENT CALENDAR

SUBJECT: PROFESSIONAL SERVICES AGREEMENT WITH BABCOCK LABORATORIES, INC. FOR ANALYTICAL LABORATORY SERVICES

RECOMMENDATION: That the City Council approve and authorize the City Manager to execute a Professional Services Agreement (on file in the Records Management Department) with Babcock Laboratories, Inc., of Riverside, California, for analytical laboratory services for water and wastewater in the amount of \$260,000 for FY 2015-16 with the option to extend the agreement for up to three successive one year periods.

COUNCIL GOALS: Regain Local Control of the Ontario International Airport
Operate in a Businesslike Manner

FISCAL IMPACT: This agreement is for Fiscal Year 2015-16 with an option to extend the agreement for up to three successive one year periods. The estimated annual cost is \$260,000 (\$200,000 from the Water Operating Fund and \$60,000 from the Sewer Operating Fund). Expenditures will be based on listed prices and actual need for analytical laboratory services, consistent with Council approved budgets for the Water and Sewer Operating Funds. Prices for the first year are fixed through the end of June 2016. After the first year, any proposed increase in fees will be negotiable annually but will not exceed 5%. There is no impact to the General Fund.

BACKGROUND: On April 6, 2015, six proposals were received to provide analytical laboratory services for the City's drinking water and wastewater monitoring.

Company

Babcock Laboratories, Inc.
Eurofins Eaton Analytical
Clinical Laboratory of San Bernardino, Inc.
Weck Laboratories
Test America
Truesdale Laboratories, Inc.

Location

Riverside, CA
Monrovia, CA
Grand Terrace, CA
Industry, CA
Irvine, CA
Tustin, CA

STAFF MEMBER PRESENTING: Scott Burton, Utilities General Manager

Prepared by: Michael Birmelin
Department: MU/Environmental Programs

City Manager
Approval: _____

Submitted to Council/O.H.A. 07/07/2015

Approved: _____

Continued to: _____

Denied: _____

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All proposals received were reviewed and evaluated for factors advantageous to the City including fee proposal, Environmental Laboratory Accreditation Program and other certifications, proficiency testing reports, qualifications and experience, equipment, location, ability to perform all of the required analyses, and quality/responsiveness of the proposal. Of the six proposals, Babcock Laboratories, Inc. was best able to comprehensively provide the analytical services needed by the City. Babcock Laboratories, Inc. is also qualified to perform the City's UCMR3 monitoring in house.

The City must ensure that all regulatory monitoring and reporting is performed correctly, timely, and in a manner that meets all State and Federal requirements. The U.S. Environmental Protection Agency and the State Water Resources Control Board, Division of Drinking Water require the City to monitor the quality of water at each source and at selected locations throughout the distribution system in accordance with the Federal Clean Water Act and Title 22 of the California Code of Regulations.

Under the Joint Wastewater Discharge Permit issued by the Inland Empire Utilities Agency and the County Sanitation Districts of Los Angeles County for discharge to the Non-Reclaimable Wastewater System, the City must monitor the quality of wastewater discharged from the John Galvin Ion Exchange Treatment Plant. Additionally, wastewater flow monitoring, sample collection, and analyses are needed to monitor industrial user compliance with 40 Code of Federal Regulations Parts 136-424, and local limits.

CITY OF ONTARIO

Agenda Report
July 7, 2015

**SECTION:
CONSENT CALENDAR**

SUBJECT: EXTENSION AND AMENDMENTS TO THE 2013-2016 MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF ONTARIO AND THE AMERICAN FEDERATION OF STATE, COUNTY, AND MUNICIPAL EMPLOYEES

RECOMMENDATION: That the City Council approve a one-year extension and proposed amendments to the 2013-2016 Memorandum of Understanding (MOU) between the City of Ontario and the employees represented by the American Federation of State, County, and Municipal Employees (AFSCME) regarding wages, hours, and other terms and conditions of employment; and authorize the City Manager to make non-substantive revisions to MOU language, if necessary, to implement the intended extension and amendments and/or achieve consistency between bargaining units.

**COUNCIL GOALS: Regain Local Control of the Ontario International Airport
Operate in a Businesslike Manner**

FISCAL IMPACT: The estimated additional annual cost of the compensation changes across all funds during the two-year period is \$321,000 for FY 2015-16 and \$490,000 for FY 2016-17. The estimated General Fund portion is \$88,000 for FY 2015-16, with a similar proportionate impact projected for the following fiscal year. Appropriations for the first year of the agreement are included in the Adopted Fiscal Year 2015-16 Operating Budget.

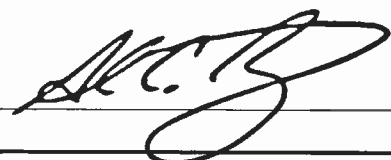
BACKGROUND: The current Memorandum of Understanding (MOU) between the City and AFSCME began on July 1, 2013 and expires June 30, 2016. Consistent with Section 10.05 (B), the parties agreed to reopen negotiations and have now reached a tentative agreement, pending City Council approval, for a one-year extension to the current MOU and a modification of salary, employees' share of retirement contributions, and fringe benefit allocations.

The City and AFSCME recognize the importance of maintaining the City's fiscally conservative approach. In a collaborative effort to continue to address future retirement costs while maintaining a competitive employee benefit package, the City and AFSCME agreed to increase the employees' share

STAFF MEMBER PRESENTING: Jacob Green, Assistant City Manager

Prepared by: Ramon Figueroa
Department: Human Resources Department

City Manager
Approval: _____



Submitted to Council/O.H.A. 07/07/2015

Approved: _____

Continued to: _____

Denied: _____

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of retirement contributions. As specified in the current MOU, employees had previously agreed to contribute 6.25% toward their retirement costs by July 2015. Under the proposed agreement, employees' contribution toward their retirement costs will increase to 7% in July 2016 and to 8% in January 2017. In addition, to assist the City in its ability to recruit and retain a highly qualified workforce, employees will receive an additional general salary increase of 2% in July 2015. Employees will also receive general salary increases of 1.75% in July 2016 and 3% in January 2017, for a net change in FY 2016-17 of 3% after accounting for the employees' share of employee retirement contributions.

Another proposed amendment to the MOU effective January 1, 2017 includes modifying the City's monthly fringe benefit contribution to match the Kaiser plan rates.

This contract extension will provide the City of Ontario with added economic certainty for budget forecasting in upcoming years while reflecting the positive partnership between AFSCME and the City of Ontario.

CITY OF ONTARIO

Agenda Report
July 7, 2015

**SECTION:
CONSENT CALENDAR**

SUBJECT: EXTENSION AND AMENDMENTS TO THE 2013-2016 MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF ONTARIO AND THE ASSOCIATION OF ONTARIO MANAGEMENT EMPLOYEES

RECOMMENDATION: That the City Council approve a one-year extension and proposed amendments to the 2013-2016 Memorandum of Understanding (MOU) between the City of Ontario and the employees represented by the Association of Ontario Management Employees (AOME) regarding wages, hours, and other terms and conditions of employment; and authorize the City Manager to make non-substantive revisions to MOU language, if necessary, to implement the intended extension and amendments and/or achieve consistency between bargaining units.

**COUNCIL GOALS: Regain Local Control of the Ontario International Airport
Operate in a Businesslike Manner**

FISCAL IMPACT: The estimated additional annual cost of the compensation changes across all funds during the two-year period is \$228,000 for FY 2015-16 and \$351,000 for FY 2016-17. The estimated General Fund portion is \$149,000 for FY 2015-16, with a similar proportionate impact projected for the following fiscal year. Appropriations for the first year of the agreement are included in the Adopted Fiscal Year 2015-16 Operating Budget.

BACKGROUND: The current Memorandum of Understanding (MOU) between the City and AOME began on July 1, 2013 and expires June 30, 2016. Consistent with Section 10.03(B), the parties agreed to reopen negotiations and have now reached a tentative agreement, pending City Council approval, for a one-year extension to the current MOU and a modification of salary and employees' share of retirement contributions.

The City and AOME recognize the importance of maintaining the City's fiscally conservative approach. In a collaborative effort to continue to address future retirement costs while maintaining a competitive employee benefit package, the City and AOME agreed to increase the employees' share of retirement contributions. As specified in the current MOU, employees had previously agreed to contribute 6.25%

STAFF MEMBER PRESENTING: Jacob Green, Assistant City Manager

Prepared by: Ramon Figueroa
Department: Human Resources Department

City Manager
Approval: 

Submitted to Council/O.H.A. 07/07/2015

Approved: _____

Continued to: _____

Denied: _____

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toward their retirement costs by July 2015. Under the proposed agreement, employees' contribution toward their retirement costs will increase to 7% in July 2016 and to 8% in January 2017. In addition, to assist the City in its ability to recruit and retain a highly qualified workforce, employees will receive a general salary increase of 2% in July 2015 in addition to the 3.5% general salary increase that had already been agreed to in the current MOU. Employees will also receive general salary increases of 1.75% in July 2016 and 3% in January 2017, for a net change in FY 2016-17 of 3% after accounting for the employees' share of employee retirement contributions.

This contract extension will provide the City of Ontario with added economic certainty for budget forecasting in upcoming years while reflecting the positive partnership between AOME and the City of Ontario.

CITY OF ONTARIO

Agenda Report
July 7, 2015

SECTION:
CONSENT CALENDAR

SUBJECT: APPROVAL OF AMENDMENTS TO COMPENSATION AND BENEFITS PROFILE TERMS OF EMPLOYMENT FOR UNREPRESENTED EMPLOYEE GROUPS INCLUDING PART-TIME, CONFIDENTIAL, DEPARTMENT HEAD AND EXECUTIVE MANAGEMENT EMPLOYEES

RECOMMENDATION: That the City Council approve amendments regarding wages, hours, and other terms and conditions of employment and corresponding amendments to the Compensation and Benefits Profiles for unrepresented employees in the Part-Time, Confidential, Department Head, and Executive Management employee groups; and authorize the City Manager to make non-substantive revisions to the Profiles, if necessary, to implement the intended amendments and/or achieve consistency between employee units.

COUNCIL GOALS: Regain Local Control of the Ontario International Airport
Operate in a Businesslike Manner

FISCAL IMPACT: The estimated additional annual cost of the compensation changes across all funds during the two-year period is \$293,000 for FY 2015-16 and \$457,000 for FY 2016-17. The estimated General Fund portion is \$210,000 for FY 2015-16, with a similar proportionate impact projected for the following fiscal year. Appropriations for the first year of the agreement are included in the Adopted Fiscal Year 2015-16 Operating Budget.

BACKGROUND: Employees in the Part-Time, Confidential, Department Head, and Executive Management groups are not formally organized and, as such, are not represented by any employee group, union, or association. For unrepresented groups, the profile for each group describes the compensation, benefits, and other relevant employment provisions as approved by the City Council. The proposed amendments to the Profiles address a modification of salary and employees' share of retirement contributions.

The City recognizes the importance of maintaining its fiscally conservative approach. In an effort to continue to address future retirement costs while maintaining a competitive employee benefit package, it

STAFF MEMBER PRESENTING: Jacob Green, Assistant City Manager

Prepared by: Ramon Figueroa
Department: Human Resources Department

City Manager
Approval: 

Submitted to Council/O.H.A. 07/07/2015

Approved: _____

Continued to: _____

Denied: _____

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is recommended that the employees' share of retirement contributions be increased consistent with the agreements made with two of the three represented miscellaneous bargaining units. As specified in the current Compensation and Benefits Profiles for Confidential, Department Head, and Executive Management groups, employees were previously scheduled to contribute 6.25% toward their retirement costs by July 2015. Under the proposed amendments, employees' contribution toward their retirement costs will increase to 7% in July 2016 and to 8% in January 2017. In addition, to assist the City in its ability to recruit and retain a highly qualified workforce, employees in the Part-Time, Confidential, Department Head, and Executive Management groups will receive a general salary increase of 2% in July 2015 in addition to the 3.5% general salary increase that had already been approved in the current Compensation and Benefits Profiles. Employees will also receive general salary increases of 1.75% in July 2016 and 3% in January 2017, for a net change in FY 2016-17 of 3% after accounting for the employee's share of employee retirement contributions.

As required by Ontario Municipal Code Section 2-3.106, the City Council must set the salary for the City Manager by resolution, and such salary is consistent with the salary table contained in the proposed resolution. Additionally, California Government Code Section 36506 requires the City Council to set the salaries for appointive positions in the Executive Management group by resolution, and such salaries are consistent with the salary range table contained in the Executive Management Compensation and Benefits Profile.

These amendments will provide the City of Ontario with added economic certainty for budget forecasting in upcoming years while reflecting the positive partnership between the unrepresented group employees and the City of Ontario.

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING SALARY RANGES FOR APPOINTIVE POSITIONS OF FIRE CHIEF AND POLICE CHIEF AS SET FORTH IN EXECUTIVE MANAGEMENT COMPENSATION AND BENEFITS PROFILE.

WHEREAS, the Municipal Code of the City of Ontario, California ("the City") provides at Sections 2-3.204 and 2-3.305, respectively, that the positions of Fire Chief and Police Chief shall be appointed by the City Manager; and

WHEREAS, California Government Code Section 36506 requires the City Council to fix the compensation of appointive officers; and

WHEREAS, the City Manager has recommended that the City's base salary ranges for the positions of Fire Chief and Police Chief be increased in order to allow the City to attract and retain highly qualified individuals; and

WHEREAS, the base salary range increases recommended by the City Manager for the positions of Fire Chief and Police Chief reflect the same base salary range increases afforded to all employees in Executive Management positions and are contained in the Amended Executive Management Compensation and Benefits Profile for the City which was approved on July 7, 2015, as follows:

1. Effective July 12, 2015, base salary ranges shall increase by 2% in addition to the 3.5% previously approved by the City Council.
2. Effective July 10, 2016, base salary ranges shall increase by 1.75%.
3. Effective January 8, 2017, base salary ranges shall increase by 3%.

WHEREAS, the employee contribution toward retirement costs recommended by the City Manager for the positions of Fire Chief and Police Chief reflect the same increases for all employees in Executive Management positions and are contained in the Executive Management Compensation and Benefits Profile for the City which was approved on July 7, 2015, as follows:

1. Effective July 10, 2016, the employee contribution toward retirement costs shall increase to 7%.
2. Effective January 8, 2017, the employee contribution toward retirement costs shall increase to 8%.

WHEREAS, the City Council has reviewed the salary range table for the positions of Fire Chief and Police Chief reflecting the proposed base salary range increases, attached hereto as Exhibit "A."

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Ontario, California, as follows:

SECTION 1. The City Council hereby amends the base salary range for the position of Fire Chief as reflected in Exhibit "A" attached hereto.

SECTION 2. The City Council hereby amends the base salary range for the position of Police Chief as reflected in Exhibit "A" attached hereto.

SECTION 3. Effective Date. This Resolution shall become effective immediately upon adoption, provided however that the salary increases will not become effective until the dates indicated in the salary range table attached as Exhibit "A."

SECTION 4. Signature and Attestation. The Mayor of the City shall sign this Resolution and the City Clerk shall attest and certify to the passage and adoption thereof.

PASSED, APPROVED, AND ADOPTED this 7th day of July 2015.

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. 2015- was duly passed and adopted by the City Council of the City of Ontario at their regular meeting held July 7, 2015 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. 2015- duly passed and adopted by the Ontario City Council at their regular meeting held July 7, 2015.

MARY E. WIRTES, MMC, CITY CLERK

(SEAL)

Exhibit "A" - Salary Range Table

		Approximate Salaries*		
Classification		July 12, 2015 Monthly Rate	July 10, 2016 Monthly Rate	January 8, 2017 Monthly Rate
Fire Chief	Min	\$13,334.25	\$13,567.60	\$13,974.63
	Max	\$17,867.69	\$18,180.37	\$18,725.78
Police Chief	Min	\$13,777.67	\$14,018.77	\$14,439.34
	Max	\$18,462.59	\$18,785.68	\$19,349.26

*Actual rates will be calculated by the City's payroll system to the 6th decimal place.

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO,
CALIFORNIA, AMENDING SALARY COMPENSATION FOR THE CITY
MANAGER.

WHEREAS, Al C. Boling and the City of Ontario, California (the "City") entered into an Employment Agreement by which the City agreed to employ Mr. Boling as its City Manager effective December 29, 2013; and

WHEREAS, under the terms of the Employment Agreement, the City Manager would receive those salary adjustments and benefits as are set forth in the Executive Management Compensation and Benefits Profile; and other terms and conditions as described in the Employment Agreement; and

WHEREAS, California Government Code Section 36506 requires the City Council to fix the compensation of appointive officers; and

WHEREAS, the Municipal Code of the City of Ontario, California provides at Section 2-3.106 that the City Council fix the City Manager's salary by resolution; and

WHEREAS, the base salary increases for the City Manager reflect the same base salary increases afforded to all employees in Executive Management positions and are contained in the Executive Management Compensation and Benefits Profile for the City which was approved on July 7, 2015, as follows:

1. Effective July 12, 2015, base salary shall increase by 2% in addition to the 3.5% previously approved by the City Council.
2. Effective July 10, 2016, base salary shall increase by 1.75%.
3. Effective January 8, 2017, base salary shall increase by 3%.

WHEREAS, the employee contribution toward retirement costs for the City Manager reflect the same increases for all employees in Executive Management positions and are contained in the Executive Management Compensation and Benefits Profile for the City which was approved on July 7, 2015, as follows:

1. Effective July 10, 2016, the employee contribution toward retirement costs shall increase to 7%.
2. Effective January 8, 2017, the employee contribution toward retirement costs shall increase to 8%.

WHEREAS, the City Council has reviewed the salary table for the City Manager reflecting the proposed base salary increases, attached hereto as Exhibit "A."

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Ontario, as follows:

SECTION 1. The City Council hereby amends the base salary for the City Manager as reflected in Exhibit "A." attached hereto.

SECTION 2. This Resolution shall become effective immediately upon adoption, provided however that the salary increases will not become effective until the dates indicated in the salary table attached as Exhibit "A."

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

PASSED, APPROVED, AND ADOPTED this 7th day of July, 2015.

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. _____ was duly passed and adopted by the City Council of the City of Ontario at their regular meeting held July 7, 2015 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. _____ duly passed and adopted by the Ontario City Council at their regular meeting held July 7, 2015.

MARY E. WIRTES, MMC, CITY CLERK

(SEAL)

Exhibit "A" - Salary Table

Classification	Approximate Salaries*		
	July 12, 2015	July 10, 2016	January 8, 2017
	Monthly Rate	Monthly Rate	Monthly Rate
City Manager	\$23,559.70	\$23,972.00	\$24,691.16

*Actual rates will be calculated by the City's payroll system to the 6th decimal place.

CITY OF ONTARIO

Agenda Report
July 7, 2015

SECTION: CONSENT CALENDAR

SUBJECT: AWARD OF BID FOR PROCUREMENT OF ASPHALT, CONCRETE AND AGGREGATE MATERIALS

RECOMMENDATION: That the City Council authorize the City Manager to approve the procurement of concrete, asphalt and aggregate materials from Bid Invitation #532 with Holliday Rock Co. of Upland, California; CalPortland of Ontario, California; and Vulcan of Irwindale, California; and authorize the option for the City Manager to extend the agreements for up to one additional year consistent with City Council approved budgets.

**COUNCIL GOALS: Regain Local Control of the Ontario International Airport
Operate in a Businesslike Manner**

FISCAL IMPACT: The suppliers will be compensated for materials ordered for the City's projects and programs, on an as-needed basis, based upon the fee structures and material billing rates set forth in the respective one-year purchasing agreements. At the sole discretion of the City, the purchase agreements may be extended for up to one additional year ending June 30, 2017. Any potential adjustments to the fee structures for the option year will not exceed the change in the Consumer Price Index (CPI). Total compensation paid toward supplies shall not exceed the appropriation levels for maintenance, repairs and projects as contained in the approved budgets for each respective fiscal year.

BACKGROUND: The City routinely purchases concrete, asphalt and aggregate materials from suppliers on an as needed basis for on-going maintenance and repairs, as well as capital projects. Generally, these materials are used for the annual street overly program, daily pot hole repairs, sidewalk, and utility trench repairs, and any miscellaneous projects and requests on public streets and right of ways throughout the City.

In June 2015, the City solicited bids for concrete, asphalt and aggregate materials. Staff received three (3) responses which met all the required specifications: Holliday Rock Co., CalPortland, and Vulcan Materials Co. Based on the bid responses, credentials, pricing, favorable product availability and service, staff recommends award of purchase agreement to each of the suppliers. Purchase agreements

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

Prepared by: Stacy Orton
Department: Parks and Maintenance

City Manager
Approval: 

Submitted to Council/O.H.A. 07/07/2015

Approved: _____

Continued to: _____

Denied: _____

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with multiple suppliers are recommended in order to give the City flexibility in ensuring that quality and timeliness of materials delivery meet with the specific project needs at the time of order. The agreements are structured so that other City departments can also purchase these types of materials on an as needed basis for their projects. The selected suppliers possess the knowledge, qualifications and experience needed to address federal and state requirement, such as Caltrans and Greenbook standards, for materials supplied for City projects.

CITY OF ONTARIO

Agenda Report
July 7, 2015

**SECTION:
CONSENT CALENDAR**

SUBJECT: A SERVICE AGREEMENT FOR LANDSCAPE MAINTENANCE SERVICES AT CELEBRATION PARK

RECOMMENDATION: That the City Council approve and authorize the City Manager to execute a three-year Maintenance Services Agreement (on file with the Records Management Department) for Contract No. PM 1415-09 with Merchants Landscape Services, Inc. of Rancho Cucamonga, California for an annual cost of \$43,200 plus a contingency of \$4,320; 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: Regain Local Control of the Ontario International Airport
Invest in the City's Infrastructure (Water, Streets, Sewers, Parks, Storm Drains and Public Facilities)

FISCAL IMPACT: The estimated annual base cost of the proposed Maintenance Services Agreement is \$43,200, plus \$4,320 of contingency for urgency services for a total contract amount of \$47,520 for each of the first three years. The maintenance cost for Celebration Park is included in the Fiscal Year 2015-16 operating budget.

At the City's discretion, two additional one-year extensions may be exercised with an increase of 4% for each of the fourth and fifth years. 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 increase to the bid amounts, avoid the costs of re-bidding the contract annually, provide service continuity, and project future costs.

BACKGROUND: In April 2015, the City solicited proposals for landscape maintenance services for Celebration Park located in the Park Place Specific Plan Area. Six proposals were received that met bid criteria and standards necessary to perform this work. Landscape services base cost proposals ranged from \$43,200 to \$73,104.

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. 07/07/2015

Approved: _____

Continued to: _____

Denied: _____

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Vendor

Brickman

DMS Facility Services

Landscape West

Mariposa Landscape

Merchants Landscape

SoCal Land Maintenance, Inc.

Location

Upland, CA

Anaheim, CA

Chino, CA

Irwindale, CA

Rancho Cucamonga, CA

Anaheim, CA

Merchants Landscape Services, Inc., located in Rancho Cucamonga, California, submitted a proposal that met all the required specifications with a base cost, three-year total of \$129,600. Based on the proposal, credentials, pricing and favorable references, staff recommends award of a Maintenance Services Agreement to Merchants Landscape Services, Inc.

CITY OF ONTARIO

Agenda Report
July 7, 2015

**SECTION:
CONSENT CALENDAR**

**SUBJECT: A SERVICE AGREEMENT FOR LANDSCAPE MAINTENANCE SERVICES
FOR PARK PLACE PARKWAYS**

RECOMMENDATION: That the City Council approve and authorize the City Manager to execute a three-year Maintenance Services Agreement (on file with the Records Management Department) for Contract No. PM 1415-12 with Valleycrest Landscape Maintenance. of Fontana, California, for an annual cost of \$43,836 plus a contingency of \$6,575; 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: Regain Local Control of the Ontario International Airport
Invest in the City's Infrastructure (Water, Streets, Sewers, Parks, Storm Drains and Public Facilities)**

FISCAL IMPACT: The estimated annual base cost of the proposed Maintenance Services Agreement is \$43,836, plus \$6,575 of contingency for urgency services for a total contract amount of \$50,411 for each of the first three years. Additional funding in the amount of \$15,400 is needed to meet the annual base cost and will be included in the first quarter budget report. The maintenance cost for Park Place parkways is included in the Fiscal Year 2015-16 operating budget.

At the City's discretion, two additional one-year extensions may be exercised with an increase of 3% for each the fourth and fifth years. 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 increase to the bid amounts, avoid the costs of re-bidding the contract annually, provide service continuity, and project future costs.

BACKGROUND: In June 2015, the City solicited proposals for landscape maintenance services for parkways generally located in the Park Place Specific Plan Area. Four proposals were received that met bid criteria and standards necessary to perform this work. Landscape services base cost proposals ranged from \$43,200 to \$56,400.

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. 07/07/2015

Approved: _____

Continued to: _____

Denied: _____

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Vendor

Mariposa Landscape
Merchants Landscape
SoCal Land Maintenance
Valleycrest

Location

Irwindale, CA
Rancho Cucamonga, CA
Anaheim, CA
Fontana, CA

Valleycrest Landscape Maintenance, located in Fontana, California, submitted a proposal that met all the required specifications with a base cost, three-year total of \$131,508. Based on the proposal, credentials, pricing and favorable references, staff recommends award of a Maintenance Services Agreement to Valleycrest Landscape Maintenance.

CITY OF ONTARIO

Agenda Report
July 7, 2015

SECTION:
CONSENT CALENDAR

SUBJECT: A RESOLUTION FINDING THAT THE PUBLIC INTEREST AND CONVENIENCE REQUIRE THE SALE OF CERTAIN REAL PROPERTY AND DECLARING ITS INTENT TO SELL SUCH PROPERTY

RECOMMENDATION: That the City Council adopt a resolution finding the public interest and convenience require the sale of certain real property and declaring its intent to sell such property located at 616 East Sunkist Street.

COUNCIL GOALS: Regain Local Control of the Ontario International Airport
Operate in a Businesslike Manner

FISCAL IMPACT: None.

BACKGROUND: California Government Code Sections 37420 through 37430 authorizes the City to dispose of public property. Government Code Section 37421 states that when the legislative body of a city finds that the public interest and convenience require the sale of public buildings and sites, it must adopt a resolution of its finding and intention to sell such property. Government Code Section 37422 states that such resolution shall fix a time for hearing protests to the property conveyance, provide for publication of notice of the hearing, fix the time when the City will take final action regarding the property conveyance, and contain an accurate description of the property to be conveyed.

The City is proposing to convey property located at 616 East Sunkist Street by entering into a Disposition and Development Agreement ("DDA") with MGH Ontario, LLC, for purposes of economic development on July 21, 2015. The Property will be utilized by MGH Ontario, LLC as an industrial reuse of the former Sunkist Fruit Packing Facility for economic development purposes, which will create jobs within the City, alleviate conditions of economic and physical blight in the City, and create an increase in property taxes, all of which benefit the health, safety and welfare of the City.

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. 07/07/2015
Approved: _____
Continued to: _____
Denied: _____

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Pursuant to Government Code Section 65402, the proposed disposition of the Property was presented to the City's Planning Commission on June 23, 2015. The Planning Commission found that the proposed conveyance of the property is in conformance with The Ontario Plan (General Plan).

Staff recommends adoption of the resolution declaring the City's intent to dispose of and convey the property pursuant to the terms of the DDA to be considered on July 21, 2015, for final action on the disposition of the property, the hearing of any protests to the disposition, and provide for publication of the notice of the said hearing in a newspaper of general circulation no less than ten days prior to July 21, 2015.

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, FINDING THAT THE PUBLIC INTEREST AND CONVENIENCE REQUIRE THE SALE OF CERTAIN REAL PROPERTY AND DECLARING ITS INTENT TO SELL SUCH PROPERTY.

WHEREAS, the City of Ontario ("City") currently owns in fee that certain real property owned by the City generally located at 616 East Sunkist Street in the City of Ontario (APN: 1049-221-01) and legally described in Exhibit "A" attached to this resolution and incorporated by reference herein (the "Property"); and

WHEREAS, the City desires to sell the Property by entering into a Disposition and Development Agreement ("DDA") with MGH Ontario, LLC, a Delaware a limited liability company for purposes of economic development; and

WHEREAS, California Government Code Sections 37420 through 37430 authorize the City to dispose of property; and

WHEREAS, California Government Code Section 37421 provides that when the legislative body of a city finds that the public interest and convenience require the sale of public buildings and sites, it must adopt a resolution of its finding and intention to sell such property; and

WHEREAS, California Government Code Section 37422 provides that such resolution shall fix a time for hearing protests to the property conveyance, provide for publication of notice of the hearing, fix the time when the City will take final action regarding the property conveyance; and contain an accurate description of the property to be conveyed; and

WHEREAS, pursuant to Government Code section 65402, the proposed disposition of the Property pursuant to the DDA shall be presented to the City's Planning Commission ("Planning Commission"), and such disposition shall be contingent on a finding by the Planning Commission that the conveyance of the Property from City to Majestic is in conformance with the City's general plan; and

WHEREAS, the City wishes to declare its intent to dispose of and convey the Property pursuant to the terms of the DDA, fix a time for the hearing of any protests to the disposition, provide for publication of the notice of said hearing, and fix the time for final action on the disposition of the Property and approval of the DDA.

WHEREAS, City staff have determined that there is no possibility that the proposed sale of the Property will have a significant adverse effect on the environment and that the adoption of this Resolution is therefore exempt from the requirements of the California Environmental Quality Act ("CEQA") pursuant to Section 15061(b)(3) of the CEQA guidelines.

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

SECTION 1. Incorporation of Recitals. The foregoing recitals are true and correct and are incorporated herein and made an operative part of this Resolution.

SECTION 2. Findings. The City Council of the City hereby finds and determines that public convenience and necessity require the sale of the Property. The factors demonstrating that the public convenience and necessity require the sale of the Property include, but are not limited to the following: the Property will be utilized by MGH Ontario, LLC as an industrial reuse of the former Sunkist Fruit Packing Facility for economic development purposes, which will create jobs within the City, alleviate conditions of economic and physical blight in the City, and create an increase in property taxes, all of which benefit the health, safety and welfare of the City.

SECTION 3. Declaration of Intent to Sell; Fixing of Hearing. The City Council of the City hereby declares its intent to sell the Property pursuant to the DDA and fixes July 21, 2015 at 6:00 P.M. or as soon thereafter that the matter can be heard at the City of Ontario, City Council Chambers, located at 303 East "B" Street, Ontario, California 91764 as the date, time and location for hearing any protests to the proposed sale of the Property, approval of the DDA, and as the final action date.

SECTION 4. Publication and Posting. In compliance with California Government Code Section 37423, the City Council of the City hereby directs City staff to publish this resolution at least once in a daily newspaper prior to July 21, 2015 and to post this Resolution for not less than ten (10) days in at least three (3) conspicuous places upon the Property prior to July 21, 2015.

SECTION 5. CEQA. The City Council of the City hereby directs City staff to file a Notice of Exemption with the San Bernardino County Clerk's Office within five (5) working days of the adoption of this Resolution.

SECTION 6. Severability. If any provision of this Resolution is held invalid, the remainder of this Resolution shall not be affected by such invalidity, and the provisions of this Resolution are severable.

SECTION 7. Effective Date. This Resolution shall become effective immediately upon its adoption.

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

PASSED, APPROVED, AND ADOPTED this 7th day of July, 2015.

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. 2015- was duly passed and adopted by the City Council of the City of Ontario at their regular meeting held July 7, 2015 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. 2015- duly passed and adopted by the Ontario City Council at their regular meeting held July 7, 2015.

MARY E. WIRTES, MMC, CITY CLERK

(SEAL)

EXHIBIT "A"
TO
RESOLUTION NO. 2015-

LEGAL DESCRIPTION OF PROPERTY

APN # 1049-221-01-000

REAL PROPERTY IN THE CITY OF ONTARIO, COUNTY OF SAN BERNARDINO,
STATE OF CALIFORNIA, DESCRIBED AS FOLLOWS:

PARCEL 1:

LOTS 2 AND 3 IN BLOCKS 121 AND 122 AND A PORTION OF LOT 1 AND 4 IN
BLOCKS 121 AND 122 OF VILLA PLOTS SOUTHSIDE TRACT, IN THE CITY OF
ONTARIO, COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, AS PER MAP
RECORDED IN BOOK 6, PAGE 11, OF MAPS, IN THE OFFICE OF THE COUNTY
RECORDER OF SAID COUNTY.

TOGETHER WITH THAT PORTION OF MONTEREY AVENUE, FORMERLY KNOWN
AS ONTARIO AVENUE, VACATED BY RESOLUTION NO. 847 BY THE CITY OF
ONTARIO, RECORDED OCTOBER 3, 1936 IN BOOK 1168, PAGE 10, OFFICIAL
RECORDS, DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE WEST LINE OF CAMPUS AVENUE
(80.00 FEET WIDE) WITH THE NORTH LINE OF CALIFORNIA BOULEVARD (66.00
FEET WIDE); THENCE WESTERLY ALONG THE NORTH LINE OF CALIFORNIA
BOULEVARD 676.00 FEET TO THE EASTERLY LINE OF THE EASEMENT TO THE
SOUTHERN PACIFIC RAILROAD COMPANY AS DESCRIBED IN BOOK 6302,
PAGES 910 AND 911 OF OFFICIAL RECORDS; THENCE NORTHERLY ALONG THE
EASTERLY LINE OF SAID EASEMENT 716.00 FEET TO THE SOUTH LINE OF
SUNKIST STREET (66.00 FEET WIDE); THENCE EASTERLY ALONG SAID SOUTH
LINE OF SUNKIST STREET 676.00 FEET TO THE WEST LINE OF CAMPUS
AVENUE; THENCE SOUTHERLY ALONG WEST LINE OF CAMPUS AVENUE (60.00
FEET WIDE) 716.00 FEET TO THE POINT OF BEGINNING.

SAID LAND IS DESCRIBED PURSUANT TO A CERTIFICATE OF LOT LINE
ADJUSTMENT, NO. L82-14 RECORDED MARCH 6, 1984 AS INSTRUMENT NO.
84-052377 OFFICIAL RECORDS.

CITY OF ONTARIO

Agenda Report
July 7, 2015

**SECTION:
PUBLIC HEARINGS**

SUBJECT: APPROVAL OF OWNER'S PERMITS FOR THE PROVISION OF TAXICAB SERVICES WITHIN THE CITY OF ONTARIO

RECOMMENDATION: That the City Council hold a public hearing to consider approval of owner's permits for the provision of taxicab services within the City of Ontario to Network Paratransit Systems, Inc. dba Bell Cab Company, San Bernardino, California, Rykal LLC dba Yellow Cab Company, Thousand Palms, California, and Express Transportation Systems Inc. dba Checker Cab & Inland Empire Cab, Riverside, California; and authorize the City Manager to execute five-year service agreements with these companies.

COUNCIL GOALS: Regain Local Control of the Ontario International Airport
Operate in a Businesslike Manner

FISCAL IMPACT: None. The cost of inspections and permitting is reimbursed through the collection of vehicle inspection fees paid by the taxicab service providers.

BACKGROUND: Title 4, Chapter 5, of the Ontario Municipal Code (OMC) establishes comprehensive requirements and regulations concerning the provision of automobiles for hire and taxicab services within the City of Ontario. Currently, Network Paratransit Systems, Inc. dba Bell Cab Company, and Rykal LLC dba Yellow Cab Company are authorized to operate within the city limits (including Ontario International Airport, as approved by Los Angeles World Airports).

OMC Section 4-5.05 provides that any person desiring to renew an existing permit should submit a letter to the City Council between June 1 and June 30, or within thirty days of the expiration of their permit. That section also provides that any person who desires to obtain a new permit should submit a letter to the City Council between June 1 and June 30.

Network Paratransit Systems, Inc. dba Bell Cab Company, submitted such a letter seeking to renew its existing permit, dated June 24, 2015. Rykal, LLC dba Yellow Cab Company, also submitted such a

STAFF MEMBER PRESENTING: Al C. Boling, City Manager

Prepared by: David Sheasby
Department: Citywide Administration

City Manager
Approval: 

Submitted to Council/O.H.A. 07/07/2015

Approved: _____

Continued to: _____

Denied: _____

18

letter, dated June 24, 2015. Express Transportation Systems Inc. dba Checker Cab & Inland Empire Cab submitted a letter seeking to obtain a new permit, dated June 25, 2015.

Staff reviewed the provisions of OMC Section 4-5-05(b) related to making a determination of the public convenience or necessity requiring an additional permit. The guiding factors include:

- the transportation needs of residents and visitors of the City;
- the number of taxicabs and limousines, and other automobiles for hire already operational in the City;
- whether existing transportation services are adequate to meet the public need;
- the probable effect of additional taxicabs or automobiles for hire on local traffic conditions;
- the effect of increased competition on the revenues of existing permittees and on the wages, compensation, hours, and conditions of service of existing licensed drivers; and
- other relevant factors.

Based upon the review, staff recommends the issuance of five-year owner's permits and the related service agreements for Bell Cab Company, Rykal LLC dba Yellow Cab Company, and Express Transportation Systems, Inc. dba Checker Cab & AA Inland Empire Cab. During the term of the agreements, staff will continue to monitor the taxicab operators based upon performance criteria in the areas of customer response times, fleet size, driver standards, vehicle and safety standards, and dispatching system standards.



RECEIVED
15 JUN 25 PM 1:20
CITY OF ONTARIO
CITY CLERK/RECORDS

June 24, 2015

Al C. Boling, City Manager

City of Ontario

303 East B. Street | Ontario | CA | 91764

Dear Mr. Boling :

Rykal, LLC, dba "Yellow Cab" has proudly served as a taxicab service provider for the City of Ontario, California and the Ontario International Airport for years and is seeking yours, Mayor Leon's and the Council's approval to extend our contract to serve the City for the next five years. Yellow Cab continues to evolve and sophisticate its operations while building a consistent reputation as a high quality demand services provider of taxi passenger rides for members of the general public as well as for elderly and disabled Ontario residents. Incidentally, Yellow Cab was recently chosen to be a subcontractor for OmniTrans in San Bernardino.

Yellow Cab offers comfortable, safe, and well-engineered taxis and ADA wheelchair vans. The company is currently busy updating the City of Ontario's fleet to more fuel efficient hybrid vehicles that are fully equipped with in-vehicle cameras and the industry's best tablet-based deployment and computer assisted fare management systems. Yellow Cab presents the following list of elegantly simple, fully integrated computer systems that streamline day-to-day and contracted taxi operations.

- Oaisys Recording software in the communications center (Yellow Cab records all incoming and outgoing calls in the dispatch center.)
- DriveCAM LYTX: On-board audio and video recording for purposes of quality assurance and accident investigation.
- Galaxy Tab3 On-board tablets for driver deployment and instant GPS navigation. (In addition to alerting drivers to the quickest route for a rider's destination, this technology mitigates complaints pertaining to routes taken.)
- All Yellow Cab vehicles offer passenger area credit card machines so customers never have to relinquish their cards to a driver.

At Yellow Cab, we insist on staffing our vehicles with highly trained, safety focused and road-savvy drivers. These independent contractor drivers must successfully complete Yellow Cab's rigorous background checks and comprehensive orientation program that includes sensitivity training and customer service education. We look forward to continuing to offer these driver safeguards and benchmarked safety and customer attentive services to the City of Ontario.

For the City of Ontario, all of us at Yellow Cab look forward to bolstering our current community involvement with a diligent effort to assist you and the Council in any way we can to help the City achieve its goal to regain control of the Ontario International Airport (which we currently serve).

On behalf of all the men and women at Yellow Cab who perform their duties so that the City of Ontario's residents and visitors have reliable, safe and efficient taxicab services, we look forward to a continued partnership with you and the council. We have reviewed the City's plan and look forward to playing a significant role in its fruition.

Please feel free to contact me if you should have any questions about our services.

Very truly yours,


Greg Klibanov, CEO



Network Paratransit Systems, Inc.
1510 West Fifth St., San Bernardino, CA 92411

RECEIVED
City Manager's Office

JUN 25 2015

June 24, 2015

City of Ontario
Attn: AL C. Boling – City Manager
303 East B. Street
Ontario, CA 91764

Dear Mr. Boling:

Bell Cab has proudly served the City of Ontario as well as the Ontario Airport for twenty (20) years. We look forward to continuing our relationship with the City of Ontario. We have earned the reputation as a reliable provider for the City's residents including it's disabled an elderly community. We are also a taxi cab provider for the Counties of San Bernardino, Riverside, and Los Angeles. As the taxi industry has evolved so has our operations.

We have upgraded our dispatch system to the latest version of the Digital Dispatch System (DDS) which is one of the largest dispatching systems worldwide. By installing the new version of the DDS System it provides the additional features that include the following:

- Google maps to assist drivers though its navigation system to provide the most efficient routing possible.
- Provides GPS validation of every trip made.
- Finds the closest vehicle in the service area to provide the fastest and permitted response time possible.

Bell Cab's fleet includes:

- 10% wheelchair accessible vehicles;
- 80% of our vehicles are low emissions green vehicles.

We have entered into a contract with the company Janus Cam to provide a camera system which is capable of recording (video only) from the interior and exterior events that take place in each vehicle. This system will provide added passenger safety and security. The camera system will assist in monitoring the taxi operators in their driving habits.

We have teamed up with the company CURB (aka Taxi Magic) which provides an application so passengers can book trips directly from their phones or other electronic devices and monitor the status of their trips such as the vehicle, the driver, estimated time of arrival. The CURB application also is equipped with a credit card swipe system for direct use (swipe) by passengers or on a pre-paid basis. The CURB application is used in sixty (60) cities across the United States including major cities such as Los Angeles, Dallas, Houston, Chicago, Atlanta, Denver, Honolulu, Nashville, New Orleans, San Diego, San Francisco, and Seattle.

We select qualified drivers who meet the company's standards.

- After being selected they go through training.
- All of our drivers undergo a background screening check and are permitted by the San Bernardino Police Department
- Drivers are also entered into the State of California DMV Pull-Notice Program

We are proud of our relationship with the City of Ontario and look forward to continue providing high quality taxi-cab services to your residents. Cordially, we seek your approval to extend our contract to serve the City for the next five (5) years. If any further information is required please feel free to contact me at:

- (626) 258-1310
Cell Phone (818) 266 2650
petros@sqtransit.com

Sincerely,

Petros Keshishian
Director of Operations

Express Transportation Systems Inc.

6782 Columbus Street Riverside CA 92504

dba: Yellow Cab , Checker Cab, Inland Empire Cab

Phone: (951) 222-2291 Fax: (951) 369-3049

RECEIVED

15 JUN 25 AM 11:00

CITY OF ONTARIO
CITY CLERK/RECORDS

June 25, 2015

Mary E. Wirtes, MMC
City Clerk, City of Ontario
City Hall
303 East "B" STREET
Ontario, CA 91764

Dear Ms. Wirtes,

On behalf of Express Transportation Systems, DBA Checker Cab & AA Inland Empire Cab, I am writing to request that the City of Ontario make a finding of Public Convenience and Necessity determination for the issuance of an additional permit to operate a taxi cab service within the City. Per Title 4 Chapter 5 Section 6 of the Ontario Municipal Code, a letter must be submitted to the City Clerk requesting that the City Council determine that the public convenience and necessity require that a permit be issued for a new franchisee. Please consider this correspondence to be an official request.

There are six factors that the City Council must consider in determining that public convenience and necessity requires an additional permit be issued. First and foremost amongst them ranks the transportation needs of residents and visitors to the City of Ontario. In a recent survey conducted of your hotels, restaurants and other businesses commonly used by both tourist, business visitors and residents alike in the City of Ontario, the majority responded that they are dissatisfied with the level of service provided by the City's two existing franchised taxi cab operators. We believe this is due in part to the reduction in passenger traffic at Ontario International Airport and a reallocation of resources outside the City by the existing taxi cab providers. Express Transportation Systems has NO interest in serving ONT and understands that process is managed by LAWA. Nonetheless, reduced passenger traffic at the airport has had a cascading effect that undermined service provision to residents and business interests throughout the City. Therefore, Express Transportation Systems seeks to provide transportation services that again meet the stated needs of the Ontario community, both commercial and residential.

The second factor to consider is the number of taxi cabs and limousines, and other automobiles for hire, currently licensed in the city. Due to reduced flight volumes at ONT, currently licensed taxi cab and transportation providers have drastically reduced the available fleet of service vehicles in the City of Ontario. This is confirmed by our recent survey of hotels and restaurants within the City of Ontario over the past six months. Therefore, Express Transportation Systems seeks to fill the void that currently exists.

The third factor to consider is whether existing transportation services are adequate to meet the public need. As discussed previously, objective survey results from numerous and prominent business leaders throughout the City of Ontario have demonstrated there is a void of reliable service provision resulting in inadequate services to meet public need. The results of the survey were significant and demand swift action. Express Transportation Systems has a proven track record throughout the Inland Empire and southern California, as well as the resources and the desire to step in and fill the current void, returning transportation services to a level that meets public demand and need.

The fourth factor to consider is the probable impact of additional taxi cabs or automobiles for hire on local traffic conditions. Express Transportation Services operates in many congested and impacted areas, making our service team uniquely cognizant of such concerns. The dramatic reduction in taxi service over the past several years has created a valid and tangible need, and Express Transportation Services is offering to adequately re-equip the City of Ontario with a fleet of taxi options that adequately meets the public's need, returning services and vehicles to pre-approved levels or necessity.

The fifth factor to consider is the effect of increased competition on the revenue of existing permittees and on the wages, compensation, hours and conditions of service of existing drivers. As mentioned previously, Ontario has seen a dramatic reduction from the approved level of taxi and transportation services due to reduced flight volume. Current licensees have focused their attention on providing service to ONT while Express Transportation Services has no interest in dedicating fleet services to the airport. The entirety of the fleet will be focused on serving the hotel, business and residential populations of Ontario. With a focus, distinct from current providers, targeting a market that has seen a dramatic reduction of dedicated service fleet over the last few years, Express Transportation Services believes there will be little adverse impact to existing permittees, wages, compensation, hours and/or conditions of service for existing drivers.

The final factor to consider is the distinguished track record that Express Transportation Systems brings to the City of Ontario. Currently operating in Los Angeles, Riverside and San Bernardino Counties, Express is a premier operator with taxi cab drivers who are all held to an exceptionally high standard, including being cross-trained in non-emergency medical transportation, which requires three (3) certifications, including CPR.

In light of these six factors, Express Transportation Systems believes it can be a valuable asset to the City of Ontario and its residents and that an important public convenience and necessity would be met in issuing a permit for the expanded provision of taxi services. If you have any additional questions or concerns regarding this request for City Council consideration, please do not hesitate to contact me directly at (714) 264-4431.

Thank you for your consideration.

Sincerely,

Cesar Hernandez
Vice-President of Operations
Express Transportation Systems
DBA Checker Cab & AA Inland Empire Cab
cesar@etsrider.com

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, FINDING THAT THE PUBLIC CONVENIENCE AND NECESSITY REQUIRE THE ISSUANCE OF ADDITIONAL PERMITS FOR PROVISION OF TAXICAB SERVICES WITHIN THE CITY.

WHEREAS, pursuant to Title 4, Section 4-5.06 of the Ontario Municipal Code, the City Council shall determine by Resolution that the public convenience and necessity require the issuance of additional permits for the provision of taxicab services within the City; and

WHEREAS, Section 4-5.06 of the Ontario Municipal Code sets forth guiding criteria by which the City Council shall make its determination, including: (1) the transportation needs of residents and visitors of the City; (2) the number of taxicabs and limousines, and other automobiles for hire already operational in the City; (3) whether existing transportation services are adequate to meet the public need; (4) the probable effect of additional taxicabs or automobiles for hire on local traffic conditions; (5) the effect of increased competition on the revenues of existing permittees and on the wages, compensation, hours, and conditions of service of existing licensed drivers; and (6) other relevant factors; and

WHEREAS, there are two companies with current agreements to operate taxicab services in the City, Bell Cab Company and Yellow Cab Company; and

WHEREAS, the agreements with Bell Cab Company and Yellow Cab Company were extended for three years by City Council action on July 17, 2012; and

WHEREAS, there will be no provision of taxicab services within the City unless additional permits are issued; and

WHEREAS, there is a need for taxicab services with residents and visitors of the City that is not met by existing transportation services; and

THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ONTARIO.

SECTION 1. It is determined that the public convenience or necessity requires additional permits to ensure the continuation of taxicab services in the City.

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

PASSED, APPROVED, AND ADOPTED this 7th day of July 2015.

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. 2015- was duly passed and adopted by the City Council of the City of Ontario at their regular meeting held July 7, 2015 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. 2015- duly passed and adopted by the Ontario City Council at their regular meeting held July 7, 2015.

MARY E. WIRTES, MMC, CITY CLERK

(SEAL)

CITY OF ONTARIO

Agenda Report

July 7, 2015

SECTION: PUBLIC HEARINGS

SUBJECT: A PUBLIC HEARING TO CONSIDER AN ORDINANCE TO AMEND SECTION 2-9.02 AND 2-9.03 OF THE ONTARIO MUNICIPAL CODE RELATING TO CHANGING THE NAME OF THE PUBLIC MUSEUM TO "ONTARIO MUSEUM OF HISTORY AND ART"

RECOMMENDATION: That the City Council introduce and waive further reading of an ordinance amending Chapter 9 of Title 2 of the Ontario Municipal Code to change the name of the City's public museum to "Ontario Museum of History and Art".

COUNCIL GOALS: Regain Local Control of the Ontario International Airport
Encourage, Provide or Support Enhanced Recreational, Educational, Cultural and Healthy City Programs, Policies and Activities

FISCAL IMPACT: If approved, over the course of the upcoming year, staff will update all marketing materials and ultimately create signage to correspond with the new branding/name of the museum. Associated costs related to local signage and marketing materials will be covered within the City Council approved operating budget for the museum for this fiscal year. Large signage and monument type signage, once designed, will be included in future budget requests to the City Council, as needed.

BACKGROUND: The Museum of History and Art, Ontario Board of Trustees held several workshops to discuss arts and culture initiatives in the City of Ontario, they also obtained input from outside stakeholders. A major focus in the workshops was the stated desire to rebrand the Museum of History and Art, Ontario to coincide with citywide branding and destination marketing efforts.

The recommended name change to "Ontario Museum of History and Art" emphasizes the location of the museum as being in the City of Ontario and thereby calls attention to the arts and cultural offerings in the City. At a special meeting on June 15, 2015, the Museum Board of Trustees unanimously recommended that the City Council amend Section 2-9.02 and 2-9.03 of the Ontario Municipal Code to reflect the recommended new name of the City's public museum.

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

Prepared by: John Worden

Department: Museum

City Manager

Approval: 

Submitted to Council/O.H.A. 07/07/2015

Approved: _____

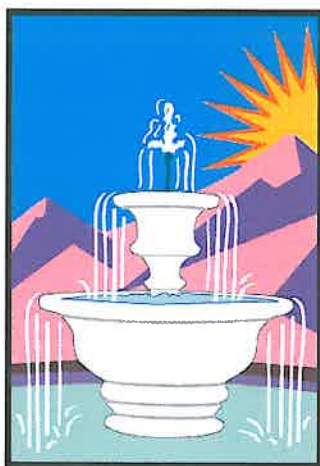
Continued to: _____

Denied: _____

19

If approved by the City Council, the Museum will update all signage and marketing materials to reflect the name change. The Museum Board of Trustees has also created a new logo for the Museum and a separate logo to incorporate arts and culture programs within the City. A copy of each is presented for reference.

Ontario Museum of History & Art



ONTARIO

MUSEUM
OF HISTORY & ART

Ontario Arts & Culture Logo

ONTARIO
CALIFORNIA

ARTS + CULTURE + HISTORY





**MUSEUM OF HISTORY AND ART, ONTARIO
BOARD OF TRUSTEES
STAFF REPORT**

June 15, 2015

SUBJECT: CHANGE THE NAME OF THE PUBLIC MUSEUM TO "ONTARIO MUSEUM OF HISTORY AND ART"

RECOMMENDATION: That the Museum of History and Art, Ontario Board of Trustees recommend that the City Council approve the changing of the name of the public museum to "Ontario Museum of History and Art."

FISCAL IMPACT: There is no impact to the General Fund.

BACKGROUND: The Museum of History and Art, Ontario Board of Trustees has held workshops to discuss arts and culture initiatives in the City of Ontario with Downtown arts and culture stakeholders. A major focus in the workshops was the stated desire to rebrand the Museum of History and Art, Ontario to coincide with citywide branding and destination marketing.

The recommended name change to "Ontario Museum of History and Art" emphasizes the location of the museum as being in the City of Ontario and thereby calls attention to the arts and cultural offerings in the City. Upon approval by the Board of Trustees, the City Council will need to amend Chapter 9 of Title 2 of the Ontario Municipal Code to reflect the changing of the name of the public museum.

Prepared by: John Worden

Submitted to Board of Trustees: 6/15/15

Museum

Approved: by BOARD 6/15/15

Director

Continued to: _____

Approval: [Signature]

Denied: _____

RESOLUTION NO. MBT 2015-01

A RESOLUTION OF THE MUSEUM OF HISTORY AND ART, ONTARIO BOARD OF TRUSTEES OF THE CITY OF ONTARIO, CALIFORNIA, RECOMMENDING THE CITY COUNCIL AMEND CHAPTER 9 OF TITLE 2 OF THE ONTARIO MUNICIPAL CODE RELATING TO THE PUBLIC MUSEUM.

WHEREAS, the Museum of History and Art, Ontario Board of Trustees ("Board of Trustees") has held workshops to discuss arts and culture initiatives in the City of Ontario ("City") with Downtown arts and culture stakeholders; and

WHEREAS, the Board of Trustees desires to rebrand the Museum of History and Art, Ontario to coincide with citywide branding and destination marketing; and

WHEREAS, the Board of Trustees recommends to the City Council to amend Chapter 9 of Title 2 of the Ontario Municipal Code relating to the Public Museum to change the name of the public museum to "Ontario Museum of History and Art."

NOW, THEREFORE, IT IS HEREBY FOUND, DETERMINED, AND RESOLVED, by the Museum of History and Art, Ontario Board of Trustees of the City of Ontario as follows:

SECTION 1. Findings. The foregoing recitals are true and correct, and are incorporated herein and made an operative part of this Resolution.

SECTION 2. Chapter 9 of Title 2 of the Ontario Municipal Code is hereby amended, in its entirety, to read as follows:

Chapter 9: Public Museum

**2-9.01 Established.
2-9.02 Site.
2-9.03 Name.**

Sec. 2-9.01 Established.

A public museum of natural and historical objects in the City is hereby established pursuant to the provisions of Article 6 of Chapter 4 of Division 3 of Title 4 of the Government Code of the State (commencing with Cal. Gov't Code § 37541), the provisions of which are hereby incorporated in and made a part of this chapter.

Sec. 2-9.02 Site.

The historic City Hall building, located at 224 South Euclid Avenue, in its entirety, is hereby established as the site of the public museum.

Sec. 2-9.03. Name.

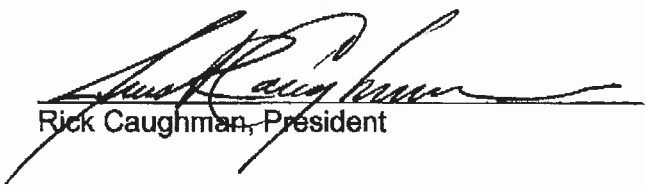
The public museum shall be given the name of "Ontario Museum of History and Art."

SECTION 3. Severability. If any provision of this Resolution is held invalid, the remainder of this Resolution shall not be affected by such invalidity, and the provisions of this Resolution are severable.

SECTION 4. Effective Date. This Resolution shall become effective immediately upon its adoption.

The President for the Museum Board of Trustees of the City of Ontario shall certify as to the adoption of this Resolution.

I hereby certify that the foregoing Resolution was duly and regularly introduced, passed and adopted by the Museum Board of Trustees of the City of Ontario at a special meeting thereof held on the 15th day of June 2015, and the foregoing is a full, true and correct copy of said Resolution, and has not been amended or repealed.



Rick Caughman, President

ATTEST:



John Worden, Museum Director

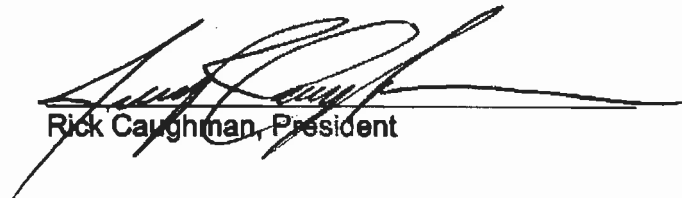
STATE OF CALIFORNIA)
COUNTY OF SAN BERNARDINO)
CITY OF ONTARIO)

I, Rick Caughman, President of the Museum Board of Trustees of the City of Ontario,
DO HEREBY CERTIFY that foregoing Resolution No. 2015- 01 was duly passed and
adopted by the Museum Board of Trustees of the City of Ontario at their special meeting
held June 15, 2015 by the following roll call vote, to wit:

AYES: BOARD MEMBERS:

NOES: BOARD MEMBERS:

ABSENT: BOARD MEMBERS:


Rick Caughman, President

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, AMENDING CHAPTER 9 OF TITLE 2 OF THE ONTARIO MUNICIPAL CODE TO APPROVE CHANGING THE NAME OF THE PUBLIC MUSEUM TO "ONTARIO MUSEUM OF HISTORY AND ART."

WHEREAS, the Museum of History and Art, Ontario Board of Trustees ("Board of Trustees") has held workshops to discuss arts and culture initiatives in the City of Ontario ("City") with Downtown arts and culture stakeholders; and

WHEREAS, the Board of Trustees desires to rebrand the Museum of History and Art, Ontario to coincide with citywide branding and destination marketing; and

WHEREAS, at a Special Meeting on June 15, 2015, the Museum Board of Trustees unanimously recommended that the City Council amend Chapter 9 of Title 2 of the Ontario Municipal Code to reflect changing the name of the public museum; and

WHEREAS, on July 7, 2015, the City Council held a public hearing regarding the amendment to Chapter 9 of Title 2 of the Ontario Municipal Code to reflect the name change of the public museum.

NOW, THEREFORE, IT IS HEREBY FOUND, DETERMINED, AND ORDAINED by the City Council of the City of Ontario, as follows:

SECTION 1. Findings. The foregoing recitals are true and correct, and are incorporated herein and made an operative part of this Ordinance.

SECTION 2. Chapter 9 of Title 2 of the Ontario Municipal Code is hereby amended, to read as follows:

Chapter 9: Public Museum

2-9.02 Site.
2-9.03 Name.

Sec. 2-9.02 Site.

The historic City Hall building, located at 225 South Euclid Avenue, in its entirety, is hereby established as the site of the public museum.

Sec. 2-9.03. Name.

The public museum shall be given the name of "Ontario Museum of History and Art."

SECTION 3. Severability. If any provision of this Ordinance is held invalid, the remainder of this Ordinance shall not be affected by such invalidity, and the provisions of this Ordinance are severable.

SECTION 4. Effective Date. This updated amendment to the Ordinance shall become effective thirty (30) days following its adoption.

SECTION 5. 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 _____ 2015.

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 _____, 2015 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)