

**CITY OF ONTARIO
CITY COUNCIL AND HOUSING AUTHORITY
AGENDA
SEPTEMBER 4, 2012**

Paul S. Leon
Mayor

Sheila Mautz
Mayor pro Tem

Alan D. Wapner
Council Member

Jim W. Bowman
Council Member

Debra Dorst-Porada
Council Member



Chris Hughes
City Manager

John E. Brown
City Attorney

Mary E. Wirtes, MMC
City Clerk

James R. Milhiser
Treasurer

WELCOME to a meeting of the Ontario City Council.

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

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

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

CALL TO ORDER (*OPEN SESSION*)

6:00 p.m.

ROLL CALL

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

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

CLOSED SESSION

- GC 54956.9 (a), CONFERENCE WITH LEGAL COUNSEL, EXISTING LITIGATION: *Inland Oversight Committee vs. City of Ontario, Case No. EDCV 12-00178-TA(OPx).*
- GC 54956.9 (b), CONFERENCE WITH LEGAL COUNSEL, ANTICIPATED LITIGATION: *One or more cases: City of Los Angeles/Los Angeles World Airports (LAWA).*

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

PLEDGE OF ALLEGIANCE

Council Member Wapner

INVOCATION

Reverend Michael Sturn, St. George Catholic Church

REPORT ON CLOSED SESSION

City Attorney

PUBLIC COMMENTS

6:30 p.m.

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

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

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

CONSENT CALENDAR

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

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

1. APPROVAL OF MINUTES

Minutes for the regular meeting of the City Council and Housing Authority of August 7, 2012, and approving same as on file in the Records Management Department.

2. BILLS/PAYROLL

Bills July 15, 2012 through July 28, 2012 and **Payroll** July 15, 2012 through July 28, 2012, when audited by the Finance Committee.

3. RESOLUTION AMENDING THE APPENDIX TO THE CITY OF ONTARIO CONFLICT OF INTEREST CODE

That the City Council adopt a resolution amending the Appendix to the Conflict of Interest Code to update position classification titles and filing requirements for City employees.

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING AND ADOPTING AN AMENDED APPENDIX OF THE CONFLICT OF INTEREST CODE PURSUANT TO THE POLITICAL REFORM ACT OF 1974.

4. A RESOLUTION AUTHORIZING MEMBERSHIP IN THE CSAC EXCESS INSURANCE AUTHORITY FOR THE PURPOSE OF PURCHASING DENTAL INSURANCE FOR CITY EMPLOYEES

That the City Council adopt a resolution authorizing the City to participate as a member of the CSAC Excess Insurance Authority (CSAC-EIA) for the purposes of purchasing dental insurance for City employees on an on-going basis; authorize the City Manager, or his designee, to execute any and all documents (on file in the Records Management Office) necessary; and designate positions authorized to act on behalf of the City to establish and maintain continuing dental insurance for covered individuals in accordance with the memoranda of understanding and compensation and benefits profiles for all labor groups.

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, AUTHORIZING MEMBERSHIP IN THE CSAC EXCESS INSURANCE AUTHORITY FOR THE PURPOSE OF PURCHASING DENTAL INSURANCE FOR CITY EMPLOYEES AND DELEGATING AUTHORITY TO THE CITY MANAGER, DEPUTY CITY MANAGER AND RISK MANAGEMENT DIRECTOR TO ACT ON BEHALF OF THE CITY OF ONTARIO.

5. ADOPTION OF AN ORDINANCE REPEALING TITLE 6, CHAPTER 9 “REFUSE ABATEMENT” OF THE ONTARIO MUNICIPAL CODE AND ADOPTING A NEW TITLE 6, CHAPTER 9 OF THE ONTARIO MUNICIPAL CODE RELATING TO “WEED AND REFUSE ABATEMENT”; AND ADOPTION OF A RESOLUTION ESTABLISHING AND AMENDING FEES FOR CODE ENFORCEMENT ACTIVITIES AS AUTHORIZED BY SECTION 5-22.07(a)

That the City Council:

- (A) Adopt an ordinance repealing in its entirety Title 6, Chapter 9 “Refuse Abatement” and adopting a new Title 6, Chapter 9 of the Ontario Municipal Code (OMC) relating to Weed and Refuse Abatement Program; and
- (B) Adopt a resolution establishing and amending fees for Code Enforcement activities as authorized by Section 5-22.07(a).

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, REPEALING CHAPTER 9, TITLE 6 OF THE ONTARIO MUNICIPAL CODE, AND ADOPTING A NEW CHAPTER 9, TITLE 6 OF THE ONTARIO MUNICIPAL CODE RELATING TO WEED AND REFUSE ABATEMENT.

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, ESTABLISHING AND AMENDING FEES TO REIMBURSE THE CITY FOR THE ABATEMENT OF NUISANCE CONDITIONS UNDER ONTARIO MUNICIPAL CODE SECTION 5-22.07(a).

6. RECOGNITION OF NATIONAL PREPAREDNESS MONTH

That the City Council recognize the month of September 2012 as National Preparedness Month in the City of Ontario.

7. A RESOLUTION REQUESTING CHANGES TO THE CALIFORNIA ROAD SYSTEM FUNCTIONAL CLASSIFICATION MAPS FOR THE CITY OF ONTARIO

That the City Council adopt a resolution approving a request to the State of California, Department of Transportation for changes to the California Road System Functional Classification Maps.

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING A REQUEST TO THE STATE OF CALIFORNIA DEPARTMENT OF TRANSPORTATION FOR CHANGES TO THE CALIFORNIA ROAD SYSTEM FUNCTIONAL CLASSIFICATION MAPS.

8. CONSTRUCTION CONTRACT FOR THE REPLACEMENT AND INSTALLATION OF TREMCO ROOF SYSTEM AT FIRE STATION NO. 1/CHAPMAN COAST ROOF COMPANY, INC.

That the City Council award Contract No. MS 1213-1 to Chapman Coast Roof Company, Inc. of Fullerton, California, for the replacement and installation of a new Tremco Roof System at Fire Station No. 1 in the amount of \$272,720 plus a 15% contingency (\$40,908) for a total of \$313,628; authorize the City Manager to execute said contract (on file in the Records Management Department); and authorize the filing of the notice of completion at the conclusion of all construction activities related to the project.

9. AGREEMENTS FOR THE JOINT USE OF FLOOD CONTROL FACILITIES FOR MULTI-PURPOSE TRAILS/SAN BERNARDINO COUNTY FLOOD CONTROL DISTRICT

That the City Council authorize the City Manager to execute agreements with the San Bernardino County Flood Control District for the joint use of certain flood control facilities for multi-purpose trails.

10. AN OPERATIONS AND MANAGEMENT AGREEMENT WITH REACH OUT FOR THE VETERAN'S MEMORIAL PARK COMMUNITY CENTER

That the City Council authorize the City Manager to execute a Operations and Management Agreement (on file in the Records Management Department) with the Reach Out Organization of Upland, California, for the use of the Veteran's Memorial Park Community Center for one (1) year with the option to extend the agreement for up to two additional years.

ADMINISTRATIVE REPORTS/DISCUSSION/ACTION

A RESOLUTION MAKING APPOINTMENTS TO THE ONTARIO INTERNATIONAL AIRPORT AUTHORITY

That the City Council adopt a resolution designating initial members of the Ontario International Airport Authority (OIAA) Commission.

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
ONTARIO, CALIFORNIA, DESIGNATING APPOINTEES TO THE
ONTARIO INTERNATIONAL AIRPORT AUTHORITY
COMMISSION.

COUNCIL MATTERS

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

STAFF MATTERS

City Manager Hughes

ADJOURNMENT

CITY OF ONTARIO
CLOSED SESSION REPORT
City Council / / Housing Authority / / Other / / (GC 54957.1)
September 4, 2012

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

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

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

- GC 54956.9 (a), CONFERENCE WITH LEGAL COUNSEL, EXISTING LITIGATION:
Inland Oversight Committee vs. City of Ontario, Case No. EDCV 12-00178-TA(OPx)

No Reportable Action	Continue	Approved
/ /	/ /	/ /

Disposition: _____

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

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

No Reportable Action	Continue	Approved
/ /	/ /	/ /

Disposition: _____

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

CITY OF ONTARIO

Agenda Report
September 4, 2012

SECTION:
CONSENT CALENDAR

SUBJECT: RESOLUTION AMENDING THE APPENDIX TO THE CITY OF ONTARIO CONFLICT OF INTEREST CODE

RECOMMENDATION: That the City Council adopt a resolution amending the Appendix to the Conflict of Interest Code to update position classification titles and filing requirements for City employees.

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

FISCAL IMPACT: The proposed action has no fiscal impact.

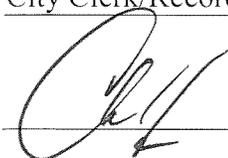
BACKGROUND: The City of Ontario originally adopted the Conflict of Interest Code in 1976, in compliance with Government Code Section 87000 et seq., with the last update occurring in December 2010. The Political Reform Act requires every local government agency to review its conflict of interest code biennially to determine if amendment or modifications are needed.

The Appendix to the City's Conflict of Interest Code designates those employees, officers and consultants who make or participate in the making of decisions which may affect the City's financial interests and therefore must disclose those interests in financial disclosure statements. These officials and employees must also disqualify themselves from making or participating in the making of governmental decisions affecting those interests.

Staff has reviewed the City's Conflict of Interest Code and is recommending that the Appendix of the Code be amended to reflect any new or changed position classification titles since the last update, as well as update the respective filing categories. No other amendments of the Code are recommended at this time. A revised copy of the Appendix has been prepared and is available in the Records Management Department.

STAFF MEMBER PRESENTING: Al C. Boling, Deputy City Manager

Prepared by: Vicki Kasad
Department: City Clerk/Records Mgmt.

City Manager Approval:  _____

Submitted to Council/O.H.A. 09/04/2012

Approved: _____

Continued to: _____

Denied: _____

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING AND ADOPTING AN AMENDED APPENDIX OF THE CONFLICT OF INTEREST CODE PURSUANT TO THE POLITICAL REFORM ACT OF 1974.

WHEREAS, the Legislature of the State of California enacted the Political Reform Act of 1974, Government Code Section 81000 et seq. (the "Act"), which contains provisions relating to conflicts of interest which potentially affect all officers, employees and consultants of the City of Ontario (the "City") and requires all public agencies to adopt and promulgate a Conflict of Interest Code; and

WHEREAS, the City Council adopted a Conflict of Interest Code which was last amended on December 7, 2010, by Resolution No. 2010-098, in compliance with Government Code Section 81000 et seq.; and

WHEREAS, the potential penalties for violation of the provisions of the Act are substantial and may include criminal and civil liability, as well as equitable relief which could result in the City being restrained or prevented from acting in cases where the provisions of the Act may have been violated; and

WHEREAS, notice of the time and place of a public meeting on, and of consideration by the City Council of, the proposed amended Appendix was provided each designated employee and publicly posted for review; and

WHEREAS, a public meeting was held upon the proposed amended Appendix of the Conflict of Interest Code at a regular meeting of the City Council on September 4, 2012, at which all present were given an opportunity to be heard on the proposed amended Appendix.

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

SECTION 1. The City Council does hereby adopt the proposed amended Appendix of the Conflict of Interest Code, a copy of which is attached hereto and shall be on file with the Records Management Director along with the Conflict of Interest Code and available to the public for inspection and copying.

SECTION 2. That said amended Appendix of the Conflict of Interest Code shall become effective 30 days after adoption and approval.

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

PASSED, APPROVED, AND ADOPTED this 4th day of September 2012.

PAUL S. LEON, MAYOR

ATTEST:

MARY E. WIRTES, MMC, CITY CLERK

APPROVED AS TO LEGAL FORM:

BEST BEST & KRIEGER LLP
CITY ATTORNEY

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

I, MARY E. WIRTES, City Clerk of the City of Ontario, DO HEREBY CERTIFY that foregoing Resolution No. 2012- was duly passed and adopted by the City Council of the City of Ontario at their regular meeting held September 4, 2012 by the following roll call vote, to wit:

AYES: COUNCIL MEMBERS:

NOES: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

MARY E. WIRTES, MMC, CITY CLERK

(SEAL)

The foregoing is the original of Resolution No. 2012- duly passed and adopted by the Ontario City Council at their regular meeting held September 4, 2012.

MARY E. WIRTES, MMC, CITY CLERK

(SEAL)

CITY OF ONTARIO

Agenda Report
September 4, 2012

SECTION:
CONSENT CALENDAR

SUBJECT: A RESOLUTION AUTHORIZING MEMBERSHIP IN THE CSAC EXCESS INSURANCE AUTHORITY FOR THE PURPOSE OF PURCHASING DENTAL INSURANCE FOR CITY EMPLOYEES

RECOMMENDATION: That the City Council adopt a resolution authorizing the City to participate as a member of the CSAC Excess Insurance Authority (CSAC-EIA) for the purposes of purchasing dental insurance for City employees on an on-going basis; authorize the City Manager, or his designee, to execute any and all documents (on file in the Records Management Office) necessary; and designate positions authorized to act on behalf of the City to establish and maintain continuing dental insurance for covered individuals in accordance with the memoranda of understanding and compensation and benefits profiles for all labor groups.

COUNCIL GOALS: Develop Strategies and Take Actions, Including Regaining Local Control of the Ontario International Airport, to Minimize the Negative Impacts of the Global Financial Downturn on Ontario's Economy and the City's Fiscal Health
Operate in a Businesslike Manner
Pursue City's Goals and Objectives by Working with Other Governmental Agencies

FISCAL IMPACT: Included the City's Adopted Fiscal Year 2012-13 Budget are appropriations for employee and retiree healthcare benefits including dental coverage in accordance with labor agreements and compensation and benefits profiles. For the benefits year beginning January 2013, it is estimated that the City can save approximately \$90,000 by joining CSAC-EIA as compared to the current stand-alone premium pricing projections for Delta Dental Preferred Provider Organization (PPO) coverage.

BACKGROUND: The City currently purchases dental insurance directly from Delta Dental. The recommended action will allow the City to pool its purchasing power with CSAC-EIA's other members resulting in lower premium costs for the same coverages and same provider network. For the upcoming benefits year, it is estimated that the City can save approximately \$90,000. It is anticipated that similar

STAFF MEMBER PRESENTING: Al Boling, Deputy City Manager

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

Submitted to Council/O.H.A. **09/04/2012**
Approved: _____
Continued to: _____
Denied: _____

4

savings would be available in future years; however, membership in the Authority does not preclude the City from purchasing dental insurance on a standalone basis if pricing advantages diminish.

CSAC-EIA is a risk sharing pool of California public agencies founded in 1979. CSAC-EIA's membership includes 94% of the counties in California and nearly 60% of the cities, as well as numerous school districts, special districts, housing authorities, fire districts, and other Joint Powers Authorities. Ontario is currently affiliated with CSAC-EIA through its membership in the Authority for California Cities Excess Liability (ACCEL).

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, AUTHORIZING MEMBERSHIP IN THE CSAC EXCESS INSURANCE AUTHORITY FOR THE PURPOSE OF PURCHASING DENTAL INSURANCE FOR CITY EMPLOYEES AND DELEGATING AUTHORITY TO THE CITY MANAGER, DEPUTY CITY MANAGER AND RISK MANAGEMENT DIRECTOR TO ACT ON BEHALF OF THE CITY OF ONTARIO.

WHEREAS, the City of Ontario provides for certain healthcare benefits to its employees and retirees in accordance with the memoranda of understanding and compensation and benefits profiles for all labor groups; and

WHEREAS, CSAC Excess Insurance Authority (CSAC-EIA) is a risk sharing pool of California public agencies, dedicated to controlling losses and providing effective risk management solutions; and

WHEREAS, CSAC-EIA offers a dental program following a shared risk model by pooling dental claims and providing members with more predictable and stable dental premiums year over year; and

WHEREAS, CSAC-EIA has determined that it is necessary for each member of the Authority to delegate to persons or positions the authority to act on the member's behalf in matters relating to the member and the Authority; and

WHEREAS, except as to those actions that must be approved by the City Council of Ontario, such delegation of authority is necessary in order to carry out the purposes and functions of the Authority with its members; and

WHEREAS, in order to ensure a person or position is delegated with authority to act on the member's behalf in matters relating to the member and the Authority, action by the member's governing body is necessary.

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

SECTION 1. The City Council hereby approves the Joint Powers Agreement, in the form attached hereto as Exhibit "A" and incorporated herein by reference, and the City Manager is hereby authorized to execute said Joint Powers Agreement on behalf of the City Council.

SECTION 2. Except as to actions that must be approved by the City Council of the City of Ontario, the City Manager, Deputy City Manager and the Risk Management Director are hereby appointed to act in all matters relating to the member and the Authority.

SECTION 3. Effective Date. This Resolution will take effect immediately upon its adoption.

SECTION 4. Certification. The City Clerk shall certify as to the adoption of this Resolution.

PASSED, APPROVED, AND ADOPTED this 4th day of September 2012.

PAUL S. LEON, MAYOR

ATTEST:

MARY E. WIRTES, MMC, CITY CLERK

APPROVED AS TO LEGAL FORM:

BEST BEST & KRIEGER LLP
CITY ATTORNEY

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

I, MARY E. WIRTES, City Clerk of the City of Ontario, DO HEREBY CERTIFY that foregoing Resolution No. 2012- was duly passed and adopted by the City Council of the City of Ontario at their regular meeting held September 4, 2012 by the following roll call vote, to wit:

AYES: COUNCIL MEMBERS:

NOES: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

MARY E. WIRTES, MMC, CITY CLERK

(SEAL)

The foregoing is the original of Resolution No. 2012- duly passed and adopted by the Ontario City Council at their regular meeting held September 4, 2012.

MARY E. WIRTES, MMC, CITY CLERK

(SEAL)

CITY OF ONTARIO

Agenda Report
September 4, 2012

SECTION:
CONSENT CALENDAR

SUBJECT: ADOPTION OF AN ORDINANCE REPEALING TITLE 6, CHAPTER 9 “REFUSE ABATEMENT” OF THE ONTARIO MUNICIPAL CODE AND ADOPTING A NEW TITLE 6, CHAPTER 9 OF THE ONTARIO MUNICIPAL CODE RELATING TO “WEED AND REFUSE ABATEMENT”; AND ADOPTION OF A RESOLUTION ESTABLISHING AND AMENDING FEES FOR CODE ENFORCEMENT ACTIVITIES AS AUTHORIZED BY SECTION 5-22.07(a)

RECOMMENDATION: That the City Council:

- (A) Adopt an ordinance repealing in its entirety Title 6, Chapter 9 “Refuse Abatement” and adopting a new Title 6, Chapter 9 of the Ontario Municipal Code (OMC) relating to Weed and Refuse Abatement Program; and
- (B) Adopt a resolution establishing and amending fees for Code Enforcement activities as authorized by Section 5-22.07(a).

COUNCIL GOALS: Develop Strategies and Take Actions, Including Regaining Local Control of the Ontario International Airport, to Minimize the Negative Impacts of the Global Financial Downturn on Ontario’s Economy and the City’s Fiscal Health
Focus Resources in Ontario’s Commercial and Residential Neighborhoods

FISCAL IMPACT: The Weed and Refuse Abatement Program has an estimated annual cost of \$250,000 and will be funded through a combination of fines, penalties and existing annual appropriations that were utilized for the County weed abatement contract (\$65,000). If approved, additional staff to be covered by program revenue will be required for administration: one new Code Enforcement Officer and one new Administrative Specialist.

BACKGROUND: On August 21, 2012, the City Council held an Public Hearing to consider the ordinance and take public testimony. Since 1980, the City of Ontario has contracted with the County of

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

Prepared by: Andy Wingert

Department: Code Enforcement

City Manager Approval:  _____

Submitted to Council/O.H.A. 09/04/2012

Approved: _____

Continued to: _____

Denied: _____

5

San Bernardino to conduct weed and refuse abatement services. Until two years ago, the cost of this contract was less than \$30,000 per year. Recently, the County has raised the cost of the contract to more than double the previous amount, and County staff anticipates further increases to costs in future years. Due to rising costs and property owner complaints regarding weed abatement services, the City's, Code Enforcement and Fire Prevention staff evaluated the current County weed and refuse abatement program to determine if service levels could be improved upon.

Some of the issues discovered during the review process were: incomplete property abatement records; sporadic and inconsistent weed removal, especially on major corridors; and the County's twice a year abatement process does not address additional weed growth which occurs during greater than normal rainy seasons.

In order to better address these issues, prevent fire hazards, control service quality and costs, staff recommends that the City assume control of abating weeds and refuse enforcement throughout the community. City staff has developed a Weed and Refuse Abatement Program to include systematic inspection of all vacant lots in the City twice a year, with additional inspections being performed if warranted by the condition of parcels that present a significant threat to the public health and safety. The City's noticing process will give property owners every opportunity to abate nuisance conditions on their property. Fees for the abatement of nuisance conditions are established by resolution of the City Council in accordance with OMC Section 5-22.07(a). A copy of the resolution is attached.

If approved by Council, the ordinance will become effective 30 days following adoption and will allow time for a community awareness campaign before the fall abatement cycle.

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, REPEALING CHAPTER 9, TITLE 6 OF THE ONTARIO MUNICIPAL CODE, AND ADOPTING A NEW CHAPTER 9, TITLE 6 OF THE ONTARIO MUNICIPAL CODE RELATING TO WEED AND REFUSE ABATEMENT.

WHEREAS, the City Council of the City of Ontario ("City") is authorized by California Constitution, Article XI, Section 7 to make and enforce within its limits all local, police, sanitary, and other ordinances and regulations not in conflict with general laws; and

WHEREAS, California Government Code Sections 39501 and 35902 authorize the City Council of the City of Ontario to compel the owner, lessee, or occupant of buildings, grounds, or lots to remove dirt, rubbish, weeds, and rank growths from buildings or grounds and adjacent sidewalks, and if such person defaults, after notice prescribed by the City Council, it may authorize the removal or destruction of the dirt, rubbish, weeds, and rank growths at his expense by a city officer; and

WHEREAS, California Government Code Sections 39501 and 35902 further authorize the City Council to prescribe a procedure for the removal or destruction of dirt, rubbish, weeds, and rank growths, and make the expense a lien upon the buildings or grounds; and

WHEREAS, on the 21st day of August, 2012, the City Council of the City of Ontario conducted a duly noticed public hearing concerning this ordinance, and concluded said hearing on that date, and introduced this ordinance; and

WHEREAS, all other prerequisites to the adoption of this ordinance have been met.

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

SECTION 1. Title 6, Chapter 9 of the Ontario Municipal Code is hereby repealed in its entirety.

SECTION 2. A new Title 6, Chapter 9 of the Ontario Municipal Code is hereby added to read as follows:

"WEED AND REFUSE ABATEMENT

- 6-9.01. Definitions
- 6-9.02. Declaration of public nuisance
- 6-9.03. Preventive abatement; Chemical control; Subsequent years
- 6-9.04. Notices; Manner of posting

- 6-9.05. Notices; Heading
- 6-9.06. Form of notice
- 6-9.07. Notice by mail
- 6-9.08. Appeals
- 6-5.09. Abatement
- 6-9.10. Entry upon private property to abate nuisance
- 6-9.11. Removal of weeds, refuse and dirt by property owner
- 6-9.12. Costs of abatement, fines, and penalties as liens against parcel, collected by special assessment against parcel
- 6-9.13. Priority of lien of assessment
- 6-9.14. Refund of tax erroneously levied; Filing claim; When claim must be filed; Verification
- 6-9.15. Claim for property damage; Payment from general fund; Rules governing presentation of claims

6-9.01. Definitions

- (a) "Director" means the City Manager, or his or her designee.
- (b) "Weeds" means weeds that, when mature, bear wingy or downy seeds, that will attain such a large growth as to become a fire menace when dry, or that are otherwise noxious or dangerous, and includes any of the following:
 - (1) Weeds that bear seeds of a downy or wingy nature.
 - (2) Sagebrush, chaparral, and any other brush or weeds that attain such large growth as to become, when dry, a fire menace to adjacent property.
 - (3) Weeds that are otherwise noxious or dangerous.
 - (4) Poison oak and poison ivy when the conditions of growth are such as to constitute a menace to the public health.
 - (5) Dry grass, stubble, brush, litter, or other flammable material that endangers the public safety by creating a fire hazard.
- (c) "Street" includes public street, alley, lane, court or other place.
- (d) "In front of which the nuisance exists" includes to the rear of, and abutting, the property upon which the nuisance exists.
- (e) "Rubbish" or "refuse" means waste material such as wastepaper, wood, hay, straw, litter, or combustible or flammable waste.

6-9.02. Declaration of public nuisance

- (a) It shall be unlawful, and it is hereby declared to constitute a public nuisance, for any property to be maintained in such a manner as to allow weeds, rubbish, refuse or dirt, or any combination thereof to exist thereon.
- (b) If the Director, after investigation, determines that weeds, rubbish, refuse, or dirt, or any combination thereof, exist on any premises or property public or private anywhere within the City, the Director shall cause to be served upon the owner and any lessee, occupant or person having charge of the affected premises, a Notice of Violation. The Notice of Violation shall list the conditions constituting a public nuisance and shall order the recipient(s) to abate

the nuisance or nuisances listed in the Notice of Violation in accordance with Ontario Fire Department regulations existing at the time the Notice of Violation is issued. Any abatement of weeds within the City shall be done pursuant to a permit issued by the City. The Fire Marshal, or his/her designee, shall have the authority to promulgate rules and regulations for the issuance of abatement permits, in order to protect the public health, safety and welfare, so long as such rules and regulations are not inconsistent with this article. The Notice of Violation shall provide a reasonable time in which to abate the nuisance or nuisances cited in the Notice of Violation. The Notice of Violation shall provide that the owner and any lessee, occupant or person having charge of the affected premises, shall have 10 days to request an appeal of the Notice of Violation in writing to the Director. The Notice of Violation shall also state that failure on the part of the recipient(s) to abate the nuisance or nuisances cited may result in the Director causing the abatement of the nuisances or nuisance and that the cost of abatement including any and administrative and investigative costs will be assessed against the property, and shall also constitute a personal obligation of the recipient. The Notice shall also provide that a property subject to a special assessment may be sold after three or more years by the tax collector for unpaid delinquent assessments.

(c) Additionally, the Director may also find and declare that weeds and or rubbish, refuse or dirt, or any combination thereof, on specified parcels of property are seasonal and recurrent nuisances. Such seasonal and recurrent nuisances shall be abated in accordance with the provisions of this article, provided, that upon the second and any subsequent occurrence of such nuisance on the same parcel or parcels within the same calendar year, no further notices need be issued or hearings need be held, and it shall be sufficient to mail a post card notice to the owner(s) of the property as they and their addresses appear upon the current assessment roll. Said notice shall refer to and describe the property, shall state that noxious or dangerous weeds of a seasonal and recurrent nature are growing on or in front of the property, that the same constitute a public nuisance that must be abated by the removal of said noxious or dangerous weeds, that otherwise they will be removed and the nuisance will be abated by the city, in which case the cost of such removal shall be assessed upon the parcel and lands from which or in front of which such weeds are removed, and that upon confirmation such cost will constitute a lien upon and special assessment against such parcel or lands until paid and shall constitute a personal obligation of the recipient of the post card notice.

6-9.03. Preventive abatement; Chemical control; Subsequent years

(a) Where the Director finds and declares that weeds on specified parcels of property are seasonal and recurrent nuisances as provided in Section 6-9.02(c), the Director may provide for the preventive abatement of such seasonal and recurrent nuisance as provided in this section.

(b) The notice required by Section 6-9.02(c) shall, in addition to containing all other required matters, state that the efficient and economical control of such seasonal and recurrent nuisance requires preventive chemical control of such weeds, weed seeds and weed seedlings and that the City may require preventive chemical control of such nuisance.

(c) In the event the City is once required to abate such nuisance the City may, in addition, before and during the next following germinating season of such weeds, provide for the preventive abatement of such nuisance by using chemical control of such weeds.

6-9.04. Notices; Manner of posting

After issuance of a Notice of Violation that has not been appealed, or appealed and the Notice of Violation upheld, the Director shall cause a notice of intent to abate weeds and remove refuse, rubbish and dirt to be conspicuously posted on or in front of the property on or in front of which the nuisance exists. The notice shall be posted as follows:

- (a) One notice to each separately owned parcel of property of not over fifty feet frontage.
- (b) Not more than two notices to any such parcel of one hundred feet frontage or less.
- (c) Notices at not more than one hundred feet apart if the frontage of such a parcel is greater than one hundred feet.

6-9.05. Notices; Heading

The heading of the notices shall be "Notice to abate weeds and remove rubbish, refuse, or dirt" in letters not less than one inch in height.

6-9.06. Form of notice

The notice shall be substantially in the following form:

"NOTICE TO ABATE WEEDS AND REMOVE RUBBISH, REFUSE, OR DIRT"

6-9.07. Notice by mail

As an alternative to posting a notice of intent to abate weeds and remove refuse, rubbish, and dirt, the Director may send the written notice of the proposed abatement by certified mail, return receipt requested to the property owner, as identified on the County Assessor's or County Recorder's records, as of the date of the Notice of Violation.

6-9.08. Appeals

Upon receipt of a written request for an appeal, the Director shall hear, or designate a hearing officer to hear, all appeals of or objections to a Notice of Violation or the City's abatement requirements for a specific parcel or property as detailed in a Notice of Violation, or any combination thereof. The decision of the Director or the designated hearing officer pertaining to the appeal or the objections to the Notice of Violation or the City's abatement requirement is final. Failure to file a written appeal within the required time, including the payment of

any applicable appeal fee, shall constitute a failure to exhaust the recipient's administrative remedies. If the Notice of Violation is upheld and objections to abatement requirements are overruled, the Director acquires jurisdiction to proceed with the abatement of weeds, refuse, rubbish, and dirt. If the abatement requirements are modified or the appellant(s) agree to perform the abatement by a date certain as a result of the appeals hearing, the Director acquires jurisdiction to perform the abatement work as modified by the appeals hearing and to proceed with the abatement work should the appellant(s) fail to fully perform the work by the agreed upon date.

6-5.09. Abatement

If appeals or objections have not been properly made to a Notice of Violation, or after the Director or designated hearing officer has disposed of such appeals or objections, the Director shall have the right cause the abatement of the nuisance by having the weeds, rubbish, refuse, and dirt removed.

6-9.10. Entry upon private property to abate nuisance

The Director, or persons contracted by the City, may enter upon private property to abate the nuisance.

6-9.11. Removal of weeds, refuse and dirt by property owner

Before the Director causes any abatement of weeds, rubbish, refuse or dirt, any property owner may remove the weeds, rubbish, refuse, or dirt at his own expense. Nevertheless, in any case in which an order to abate is issued, the City Council, by motion or resolution, may further order that a special assessment and lien be imposed pursuant to Section 6-9.12. In that case the assessment and lien shall be limited to the costs incurred by the City in enforcing abatement upon the parcel(s), including investigation, boundary determination, measurement, clerical, legal, and other related costs.

6-9.12. Costs of abatement, fines, and penalties as liens against parcel, collected by special assessment against parcel

(a) The cost of abatement in front of or upon each parcel of land and the costs incurred by the City in enforcing abatement upon the parcels, including investigation, boundary determination, measurement, clerical, legal, and other related costs, as well as any fines or other financial penalties issued against the property, shall constitute a lien against that parcel and may be collected as a special assessment as specified in Section 1-4.05 of this Municipal Code, and shall constitute a personal charge of the recipient of the notices required by this article.

(b) The amount of the assessment shall be collected at the same time and in the same manner of ordinary municipal taxes. If delinquent, the amount is subject to the same penalties and procedure of foreclosure and sale provided for ordinary municipal taxes; provided however, that the sale of the property for unpaid taxes may be conducted following three (3) years, rather than five (5) years, as provided by state law.

(c) The Director may determine that, in lieu of collecting the entire assessment at the time and in the manner of ordinary municipal taxes, such assessments of an amount determined by the Director may be made in annual installments and collected one installment at a time at the times and in the manner of ordinary municipal taxes in successive years. If any installment is delinquent, the amount thereof is subject to the same penalties and procedure for foreclosure and sale provided for ordinary municipal taxes. The payment of assessments so deferred shall bear interest on the unpaid balance at a rate of 6 percent per annum.

6-9.13. Priority of lien of assessment

The lien of said assessment shall have the same priority as municipal taxes.

6-9.14. Refund of tax erroneously levied; Filing claim; When claim must be filed; Verification

The Director may order refunded all or part of an abatement charge paid pursuant to this article if the Director finds that all or part of the charge has been erroneously levied. An abatement charge, or part thereof, shall not be refunded unless and until a claim is filed with the City Clerk on or before November 1st after the tax became due and payable. The claim shall be verified by the person who paid the abatement charge, or by the person's guardian, conservator, executor, or administrator.

6-9.15. Claim for property damage; Payment from general fund; Rules governing presentation of claims

If the Director finds that property damage was caused by the negligence of a city officer, employee or agent, in connection with the abatement of a nuisance pursuant to this article, a claim for such damages may be paid from the City general fund. Claims therefore are governed by Part 3 (commencing with Section 900) and Part 4 (commencing with Section 940) of Division 3.6 of Title 1 of the California Government Code and City procedures implementing such claims."

SECTION 3. Severability. If any section, subsection, subdivision, sentence, clause, or phrase in this ordinance or any part thereof is for any reason held to be unconstitutional or invalid, ineffective by any court of competent jurisdiction, such decision shall not affect the validity or effectiveness of the remaining portions of this ordinance or any part thereof. The City Council hereby declares that it would have adopted each section irrespective of the fact that any one or more subsections, subdivisions, sentences, clauses, or phrases be declared unconstitutional, invalid, or ineffective.

SECTION 4. Effective Date. This ordinance shall take effect and be in full force on the 30th day from and after its second reading.

SECTION 5. Exemption for CEQA. The City Council hereby finds that this ordinance is categorically exempt from further environmental review pursuant to the California Environmental Quality Act (Pub. Resources Code, §§ 21000 et seq.) ("CEQA") because, pursuant to Section 15321(a), Class 21, Category (a) of the State CEQA Guidelines, the ordinance constitutes the enforcement of a law administered or adopted by the City as a regulatory agency. Therefore, City staff is hereby directed to file a Notice of Exemption with the County Clerk within three (3) days following the adoption of this ordinance.

SECTION 6. 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 4th day of September 2012.

PAUL S. LEON, MAYOR

ATTEST:

MARY E. WIRTES, MMC, CITY CLERK

APPROVED AS TO FORM:

BEST BEST & KRIEGER LLP
CITY ATTORNEY

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

I, MARY E. WIRTES, City Clerk of the City of Ontario, DO HEREBY CERTIFY that foregoing Ordinance No. _____ was duly introduced at a regular meeting of the City Council of the City of Ontario held August 21, 2012 and adopted at the regular meeting held September 4, 2012 by the following roll call vote, to wit:

AYES: COUNCIL MEMBERS:

NOES: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

MARY E. WIRTES, MMC, CITY CLERK

(SEAL)

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 September 4, 2012 and that Summaries of the Ordinance were published on August 28, 2012 and _____, in the Inland Valley Daily Bulletin newspaper.

MARY E. WIRTES, MMC, CITY CLERK

(SEAL)

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, ESTABLISHING AND AMENDING FEES TO REIMBURSE THE CITY FOR THE ABATEMENT OF NUISANCE CONDITIONS UNDER ONTARIO MUNICIPAL CODE SECTION 5-22.07(a).

WHEREAS, the City of Ontario Municipal Code Section 5-22.07(a) allows the Code Enforcement Director to find that, if a public nuisance as described in a Notice of Violation exists, and the abatement costs to remove the nuisance conditions are reasonable, the owner, lessee, occupant, or other person having charge of the affected premises shall be personally liable for such costs for nuisance abatement, and the City may collect such costs as a lien and/or a special assessment; and

WHEREAS, the Code Enforcement Department of the City of Ontario is charged with eliminating nuisance conditions, conducting fire hazard abatement of weeds and rubbish, and otherwise protecting the public health, safety, and welfare of Ontario residents; and

WHEREAS, the City Council adopted a fee schedule on November 1, 2011; and

WHEREAS, the fee schedule is reviewed from time to time and amended to reflect changes in fee amounts and titles; and

WHEREAS, based on such fee review, the City Council hereby finds that the fees adopted and amended hereby do not exceed the estimated reasonable cost of providing the services or materials involved; and

WHEREAS, pursuant to Government Code section 66016, at least 10 days prior to the meeting at which this Resolution was adopted, the City has made available to the public data indicating the amount of cost, or estimated cost, required to provide the service or materials for which the fees are levied and the revenue sources anticipated to provide the service, including any general fund revenues; and

WHEREAS, all other prerequisites to the adoption of this Resolution have been met.

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

SECTION 1. The City Council of the City of Ontario hereby adopts the following fees for the abatement of nuisances, pursuant to Title 5, Chapter 22 Section 5-22.07(a) of the Ontario Municipal Code:

Notice of Violation*	\$110.00*
Inspections (No Charge for first and second inspection)	\$50.00
Inspection +Notice and Order	\$395.00
Remove Vehicles from private property	\$181.00 plus \$460.00 (if warrant is needed)
Extension fee for Notice of Violation	\$25.00
Secure vacant structure	\$330.00 plus Contractor Cost
Appeal of Administrative Decision	\$65.00
Inspection or Abatement*	\$472.00 plus Attorney Fees
Code Compliance Inspection (owner's request)	\$95.00
Public Nuisance Abatement- Administrative Cost	\$199.00 plus Contractor Cost
Public Nuisance Abatement (Inspection with warrant)	\$561.00
Release confiscated property stored at City Yard	\$50.00
Release Notices of Administrative Proceedings and/or Notices of Lien*	\$141.00 plus County Recording Fee – pass-thru
Release Special Assessment from Tax Rolls – Administrative Costs*	\$42.00 plus County Assessor pass-thru charge*
Property research Title/Map/Metro Scan	\$42.00
Emergency Order to Vacate	\$192.00
Clean Vacant lot	\$285.00 plus Contractor Cost and warrant if needed)
Notary Cost	\$10.00
Third party contractors, such as attorneys or consultants	Actual Cost

* *proposed amendment to existing fees*

SECTION 2. CEQA. The City Council hereby finds that this Resolution is exempt from environmental review pursuant to State CEQA Guidelines sections 15378(b)(2), (4) and (5) because the Resolution concerns government fiscal activities that do not involve any commitment to a specific project that may result in a potentially significant physical impact and is a continuing administrative activity. Therefore, City staff is hereby directed to file a Notice of Exemption with the County Clerk within three (3) days following the adoption of this Resolution.

SECTION 3. Conflicts. This Resolution shall repeal any other resolutions or portions thereof to the extent that such resolutions or portions thereof are in conflict with this Resolution.

SECTION 4. Severability. If any section, subsection, sentence, clause, phrase or word of this Resolution is for any reason held to be invalid by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Resolution.

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

PASSED, APPROVED, AND ADOPTED this 4th day of September 2012.

PAUL S. LEON, MAYOR

ATTEST:

MARY E. WIRTES, MMC, CITY CLERK

APPROVED AS TO LEGAL FORM:

BEST BEST & KRIEGER LLP
CITY ATTORNEY

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

I, MARY E. WIRTES, City Clerk of the City of Ontario, DO HEREBY CERTIFY that foregoing Resolution No. 2012- was duly passed and adopted by the City Council of the City of Ontario at their regular meeting held September 4, 2012 by the following roll call vote, to wit:

AYES: COUNCIL MEMBERS:

NOES: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

MARY E. WIRTES, MMC, CITY CLERK

(SEAL)

The foregoing is the original of Resolution No. 2012- duly passed and adopted by the Ontario City Council at their regular meeting held September 4, 2012.

MARY E. WIRTES, MMC, CITY CLERK

(SEAL)

CITY OF ONTARIO

Agenda Report
September 4, 2012

SECTION:
CONSENT CALENDAR

SUBJECT: RECOGNITION OF NATIONAL PREPAREDNESS MONTH

RECOMMENDATION: That the City Council recognize the month of September 2012 as National Preparedness Month in the City of Ontario.

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

FISCAL IMPACT: None.

BACKGROUND: The Federal Emergency Management Agency (FEMA) has announced that September 2012 will be National Preparedness Month. National Preparedness Month (NPM) is sponsored by the Ready Campaign in partnership with Citizen Corps and the Ad Council. The goal of NPM is to encourage Americans to take simple steps to prepare for emergencies in their homes, business, and communities.

The City of Ontario is registered as a National Preparedness Month Coalition Member. This designation recognizes the City of Ontario as an active partner in emergency preparedness. During the month of September the City will be launching the ReadyOntario.org website. The website is personalized to the City of Ontario; and all residents are encouraged to visit the website for additional information regarding emergency plans, hazard mitigation, family emergency kits, and general emergency preparedness guidance.

STAFF MEMBER PRESENTING: Floyd Clark, Fire Chief

Prepared by: Floyd Clark
Department: Fire

City Manager Approval: 

Submitted to Council/O.H.A. 09/04/2012

Approved: _____

Continued to: _____

Denied: _____

6

CITY OF ONTARIO

Agenda Report
September 4, 2012

SECTION:
CONSENT CALENDAR

SUBJECT: A RESOLUTION REQUESTING CHANGES TO THE CALIFORNIA ROAD SYSTEM FUNCTIONAL CLASSIFICATION MAPS FOR THE CITY OF ONTARIO

RECOMMENDATION: That the City Council adopt a resolution approving a request to the State of California, Department of Transportation for changes to the California Road System Functional Classification Maps.

COUNCIL GOALS: Develop Strategies and Take Actions, Including Regaining Local Control of the Ontario International Airport, to Minimize the Negative Impacts of the Global Financial Downturn on Ontario's Economy and the City's Fiscal Health
Pursue City's Goals and Objectives by Working with Other Governmental Agencies

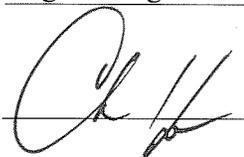
FISCAL IMPACT: There is no fiscal impact associated with this item.

BACKGROUND: On January 27, 2010, the Ontario City Council approved The Ontario Plan (TOP). The Mobility Element of the TOP Policy Plan includes a Functional Roadway Classification Plan that identifies the City's backbone street system by road type. The backbone street roadway types or classifications are Other Principal Arterial, Minor Arterial and Collector Street according to the traffic service they provide. These same classification labels are used on the California Road System (CRS) maps. The TOP changed several previously identified roadway classifications resulting in inconsistencies between the TOP and the CRS maps, and this action will create consistency between the TOP and CRS maps. An EIR document was approved with the TOP; therefore, no additional environmental work is necessary. The recommended changes are identified in Exhibit A of the resolution.

As part of the approval process for the CRS Map changes, Caltrans requires that a Functional Classification Change Request Form be submitted along with a City resolution. Also included in the submittal to Caltrans will be the concurrence letter from the Southern California Association of Governments (SCAG).

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

Prepared by: Jaime Maciel-Carrera
Department: Engineering

City Manager Approval: 

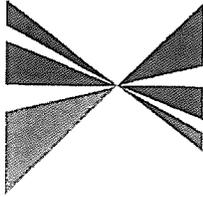
Submitted to Council/O.H.A. 09/04/2012

Approved: _____

Continued to: _____

Denied: _____

SOUTHERN CALIFORNIA



**ASSOCIATION of
GOVERNMENTS**

Main Office

818 West Seventh Street

12th Floor

Los Angeles, California

90017-3435

t (213) 236-1800

f (213) 236-1825

www.scag.ca.gov

Officers

President

Glen Becerra, Simi Valley

First Vice President

Greg Pettis, Cathedral City

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Carl Morehouse, San Buenaventura

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Committee Chair**

Glen Becerra, Simi Valley

Policy Committee Chairs

Community, Economic and

Human Development

Paula Lantz, Pomona

Energy & Environment

Cheryl Viegas-Walker, El Centro

Transportation

Keith Millhouse, Ventura County

Transportation Commission

August 9, 2012

Maria Aranguiz
Division of Planning
Caltrans – District 8
464 W. 4th St
San Bernardino, CA 92401

RE: FUNCTIONAL CLASSIFICATION CHANGE – CITY OF ONTARIO

Ms. Aranguiz:

SCAG has received a request from the City of Ontario regarding the Functional Classification Change Request Form to be submitted to Caltrans (attached). Caltrans' Functional Classification Guidelines require that local agencies submit an MPO/RTPA concurrence letter along with the Functional Classification Change Form to the Caltrans District Coordinator.

This letter serves as the concurrence from SCAG on the changes requested by the City of Ontario. It is our understanding that the requested changes are consistent with the City's updated General Plan.

The SCAG regional travel demand model includes roadway facilities from interstates (1) down to the equivalent of major collectors (5) on the FHWA's revised functional classification codes. To the extent that these changes affect the SCAG regional highway network, SCAG will update the network to reflect the changes requested by the City of Ontario upon the final approval by Caltrans and the Federal Highway Administration.

If you have any further questions, please contact Ryan Kuo of my staff at 213-236-1813 or kuo@scag.ca.gov.

Sincerely,

Naresh Amatya
Manager, Transportation Planning

NA:rk

Enclosure: Functional Classification Change Request

Cc (email): Jaime Maciel-Carrera, City of Ontario

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING A REQUEST TO THE STATE OF CALIFORNIA DEPARTMENT OF TRANSPORTATION FOR CHANGES TO THE CALIFORNIA ROAD SYSTEM FUNCTIONAL CLASSIFICATION MAPS.

WHEREAS, the State of California Department of Transportation in cooperation with the U.S. Department of Transportation and the Federal Highway Administration maintain roadway functional classification maps also known as California Road System (CRS) Maps; and

WHEREAS, incorporated cities are responsible for initiating requests to the Department of Transportation for changes to the functional classification of streets and roads within their jurisdictions; and

WHEREAS, the City of Ontario desires to amend the CRS maps to reflect consistency with the latest city street functional classifications as shown in The Ontario Plan general plan document; and

WHEREAS, the functional classification changes shown in Exhibit A attached hereto have been reviewed by the City Council of the City of Ontario.

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Ontario approves the functional classification changes and requests that the State of California Department of Transportation amend the California Road System maps.

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

PASSED, APPROVED, AND ADOPTED this 4th day of September 2012.

PAUL S. LEON, MAYOR

ATTEST:

MARY E. WIRTES, MMC, CITY CLERK

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

I, MARY E. WIRTES, City Clerk of the City of Ontario, DO HEREBY CERTIFY that foregoing Resolution No. 2012- was duly passed and adopted by the City Council of the City of Ontario at their regular meeting held September 4, 2012 by the following roll call vote, to wit:

AYES: COUNCIL MEMBERS:

NOES: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

MARY E. WIRTES, MMC, CITY CLERK

(SEAL)

The foregoing is the original of Resolution No. 2012- duly passed and adopted by the Ontario City Council at their regular meeting held September 4, 2012.

MARY E. WIRTES, MMC, CITY CLERK

(SEAL)

Exhibit A

Functional Classification Change Request Form

Functional Classification Codes	
Interstate	1
Other Freeways or Expressways	2
Other Principal Arterial	3
Minor Arterial	4
Major Collector	6
Minor Collector	6
Local	7

Submitted by: Jaime Maciel-Carrera
 Date: 8/1/12

Click on any column heading for instructions.

CRS Map Number	Coordinate	CT District	County	Jurisdiction	Change/ New/ Delete	Road	From	To	(From) Class	(To) New Class	Length (mi)	Number of Through Lanes	AADT
14V24 J5	8 SBJ Ontario	8	SBJ Ontario	Ontario	Change	Ben View Avenue	Belmont Street	Holt Boulevard	7	5	0.820	1	5,151
14V24 G7	8 SBJ Ontario	8	SBJ Ontario	Ontario	Change	Ben View Avenue	Riverside Drive	Walnut Street	5	7	0.500	1	1,414
14V25 E5	8 SBJ Ontario	8	SBJ Ontario	Ontario	Change	Dupont Avenue	Francis Street	Francis Street	7	5	0.170	2	1,000
14V24 CL	8 SBJ Ontario	8	SBJ Ontario	Ontario	Change	Fourth Street	Benson Avenue	Palmerto Avenue	4	5	0.750	2	8,868
14V24 D1	8 SBJ Ontario	8	SBJ Ontario	Ontario	Change	Fourth Street	Palmerto Avenue	Campus Avenue	4	6	1.510	1	6,730
14V24 G1	8 SBJ Ontario	8	SBJ Ontario	Ontario	Change	Fourth Street	Campus Avenue	Cucamonga Avenue	4	5	0.540	2	10,587
14V24 H1	8 SBJ Ontario	8	SBJ Ontario	Ontario	Change	Fourth Street	Grove Avenue	300' east of Hellman Avenue	4	3	1.610	2	19,425
14V25 A1	8 SBJ Ontario	8	SBJ Ontario	Ontario	Change	Fourth Street	300' east of Hellman Avenue	Eiwanida Avenue	4	3	4.410	2/3	19,283
14V25 C5	8 SBJ Ontario	8	SBJ Ontario	Ontario	Change	Francis Street	Haven Avenue	Dupont Street	7	5	0.740	2	1,000
14V25 E5	8 SBJ Ontario	8	SBJ Ontario	Ontario	Change	Francis Street	Dupont Street	Rochester Avenue	7	6	0.700	1	1,000
14V24 C2	8 SBJ Ontario	8	SBJ Ontario	Ontario	Change	G Street	Benson Avenue	Vineyard Avenue	4	6	4.000	1/2	7,697
14V24 H1	8 SBJ Ontario	8	SBJ Ontario	Ontario	Change	Grove Avenue	Holt Boulevard	5th Street	4	3	1.24	2	22,060
14V25 A4	8 SBJ Ontario	8	SBJ Ontario	Ontario	Change	Jurupa Street	Archibald Avenue	Eliwanida Avenue	4	3	3.960	2/3	20,448
14V25 E1	8 SBJ Ontario	8	SBJ Ontario	Ontario	Change	Milliken Avenue	Riverside Drive	4th Street	4	3	4.030	3	25,189
14V25 E2	8 SBJ Ontario	8	SBJ Ontario	Ontario	Change	Ontario Mills Parkway	Milliken Avenue	780' east of Milliken Avenue	7	4	0.150	2/3	16,690
14V25 F2	8 SBJ Ontario	8	SBJ Ontario	Ontario	Change	Ontario Mills Parkway	Rochester Road	Eiwanida Avenue	7	4	1.260	2	3,503
14V25 C7	8 SBJ Ontario	8	SBJ Ontario	Ontario	Change	Philadelphia Street	Haven Avenue	Mission Boulevard	7	4	0.550	2	5,417
14V25 E6	8 SBJ Ontario	8	SBJ Ontario	Ontario	Change	Philadelphia Street	Milliken Avenue	Eiwanida Avenue	4	5	1.960	2	6,467
14V24 C4	8 SBJ Ontario	8	SBJ Ontario	Ontario	Change	Phillips Street	Benson Avenue	Campus Avenue	4	5	2.250	2	4,158
14V24 F4	8 SBJ Ontario	8	SBJ Ontario	Ontario	Change	Riverside Drive	Faehld Avenue	400' east of Ontario Avenue	3	4	2.890	1	10,426
14V25 A5	8 SBJ Ontario	8	SBJ Ontario	Ontario	Change	Riverside Drive	400' east of Ontario Avenue	Haven Avenue	3	4	1.400	1	14,536
14V25 CA	8 SBJ Ontario	8	SBJ Ontario	Ontario	Change	Riverside Drive	Haven Avenue	Hammer Avenue	5	4	1.010	1	9,847
14V25 F6	8 SBJ Ontario	8	SBJ Ontario	Ontario	Change	Rochester/Charles Smith Avenue	Ontario Mills Drive	Ontario Mills Parkway	5	7	0.360	1/2	3,500
14V25 F6	8 SBJ Ontario	8	SBJ Ontario	Ontario	Change	Rochester Avenue	Philadelphia Street	Francis Street	7	6	0.520	1	1,500
14V25 G4	8 SBJ Ontario	8	SBJ Ontario	Ontario	Change	Santa Ana Street	Wineville Avenue	Eiwanida Avenue	7	5	0.970	2	1,668
14V24 J7	8 SBJ Ontario	8	SBJ Ontario	Ontario	Change	Walker Avenue	Riverside Drive	Walnut Street	5	7	0.500	1	1,400
14V24 K1	8 SBJ Ontario	8	SBJ Ontario	Ontario	Change	Vineyard Avenue	Airport Drive	4th Street	4	3	1.060	2/3	36,879
14V24 K6	8 SBJ Ontario	8	SBJ Ontario	Ontario	Change	Vineyard Avenue	Riverside Drive	Mission Boulevard	4	3	2.070	2	12,869
14V25 G4	8 SBJ Ontario	8	SBJ Ontario	Ontario	Change	Vintage Avenue	Jurupa Street	Santa Ana Street	7	5	0.490	1	2,000

CITY OF ONTARIO

Agenda Report

September 4, 2012

SECTION:
CONSENT CALENDAR

SUBJECT: CONSTRUCTION CONTRACT FOR THE REPLACEMENT AND INSTALLATION OF TREMCO ROOF SYSTEM AT FIRE STATION NO. 1

RECOMMENDATION: That the City Council award Contract No. MS 1213-1 to Chapman Coast Roof Company, Inc. of Fullerton, California, for the replacement and installation of a new Tremco Roof System at Fire Station No. 1 in the amount of \$272,720 plus a 15% contingency (\$40,908) for a total of \$313,628; authorize the City Manager to execute said contract (on file in the Records Management Department); and authorize the filing of the notice of completion at the conclusion of all construction activities related to the project.

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

FISCAL IMPACT: The Fiscal Year 2012-13 Capital Improvement Project budget includes appropriations in the amount of \$600,000 for replacement and installation of a new roof at Fire Station No 1. The recommended contract authorization is \$272,720 plus a fifteen percent (15%) contingency of \$40,908 for a total cost of \$313,628.

BACKGROUND: The roof at Fire Station No. 1 is approximately 27 years old and has recently required increased maintenance due to deterioration. The recommended replacement roof is an energy-efficient "Cool Roof" that meets California Title 24 specifications. The new roof system will provide better drainage, faster evaporation and lower roof-top temperatures thus increasing life expectancy. In addition, by reducing roof-top temperatures this roof system decreases the interior building temperatures resulting in reduced air conditioning and energy needs.

STAFF MEMBER PRESENTING: Scott Burton, Utilities General Manager

Prepared by: Robert Gluck
Department: MU/Building Facilities

City Manager Approval: 

Submitted to Council/O.R.A./O.H.A. 09/04/2012

Approved: _____

Continued to: _____

Denied: _____

8

In August 2012, six (6) construction bids were received for Bid No. MS 1213-1. Chapman Coast Roof Company, Inc. submitted the lowest bid. A bid summary table is shown below.

<u>Bidder</u>	<u>Location</u>	<u>Amount</u>
Chapman Coast Roof Company, Inc.	Fullerton, CA	\$272,720
Cabral Roofing & Waterproofing Corporation	Montebello, CA	\$298,197
Best Contracting Services, Inc.	Gardena, CA	\$314,600
Letner Roofing	Orange, CA	\$326,400
Sylvester Roofing	Escondido, CA	\$376,645
Roy O. Huffman Roof Company	Riverside, CA	\$377,451

Chapman Coast Roof Company, Inc. submitted the lowest responsive bid and has previously performed roof replacement and repair work for the City in a satisfactory manner.

CITY OF ONTARIO

Agenda Report
September 4, 2012

SECTION:
CONSENT CALENDAR

SUBJECT: AGREEMENTS FOR THE JOINT USE OF FLOOD CONTROL FACILITIES FOR MULTI-PURPOSE TRAILS

RECOMMENDATION: That the City Council authorize the City Manager to execute agreements with the San Bernardino County Flood Control District for the joint use of certain flood control facilities for multi-purpose trails.

COUNCIL GOALS: Develop Strategies and Take Actions, Including Regaining Local Control of the Ontario International Airport, to Minimize the Negative Impacts of the Global Financial Downturn on Ontario's Economy and the City's Fiscal Health
Pursue City's Goals and Objectives by Working with Other Governmental Agencies
Invest in the City's Infrastructure (Water, Streets, Sewers, Parks, Storm Drains and Public Facilities)
Ensure the Development of a Well-Planned, Balanced, and Self-Sustaining Community in the New Model Colony

FISCAL IMPACT: The Memorandum of Understanding ("MOU") does not require construction of any improvements. Concept plans have been developed that address requirements of the MOU. Final design and construction of physical trail improvements will be done by adjacent developers as a condition of their project and as part of a Common Use Agreement ("CUA"). The on-going maintenance of the facility will be funded through the New Model Colony Operations and Maintenance Communities Facilities District.

BACKGROUND: Adoption of The Ontario Plan in 2010 included plans for an interconnect multi-purpose trail system. The Multipurpose Trails & Bikeway Corridor Plan identified a number of multi-purpose trails utilizing streets, Southern California Edison ("SCE") corridors and San Bernardino Flood Control District facilities (e.g. flood control channels, flood control basins, etc.). The trails provide an interconnected system linking the community to other recreational amenities and trails serving the community and the region.

STAFF MEMBER PRESENTING: Jerry L. Blum, Planning Director

Prepared by: Scott Murphy
Department: Planning

City Manager
Approval: 

Submitted to Council/O.H.A. 09/04/2012

Approved: _____

Continued to: _____

Denied: _____

9

In order to use their facilities, the San Bernardino County Flood Control District (“District”) employs a two-tier approval process. First, the City and District must enter into an MOU (on file in the Records Management Department) that identifies the general locations of the trails to be used, type of improvements anticipated, and responsibilities for those improvements.

As the second step in the approval process, a Common Use Agreement (“CUA”) is required for each segment of trail to be constructed. The CUA further defines the roles and responsibilities of each party (copy of template attached for reference). Working with the developers, detailed construction documents would be completed and submitted to the District for final approval.

As the use of District facilities provides an important link in the multi-purpose trail system, the MOU and CUA approvals will allow the City to move forward with the physical improvements to the trails and implement the vision of TOP.

ENVIRONMENTAL ASSESSMENT: The MOU and CUA would allow the use existing District facilities for trails purposes. Improvements to the facilities would include landscaping, rest stop amenities, directional signage, etc. In considering the potential environmental effects of the proposed use of District facilities, staff finds that the project is exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to §15304, Minor Alterations to Land (Class 4), of the CEQA Guidelines. Class 4 consists of minor alterations to public and private lands including, but not limited to, installation of new landscaping and the creation of bicycle lanes on existing right-of-way.

CITY OF ONTARIO

Agenda Report
September 4, 2012

SECTION:
CONSENT CALENDAR

SUBJECT: AN OPERATIONS AND MANAGEMENT AGREEMENT WITH REACH OUT FOR THE VETERAN'S MEMORIAL PARK COMMUNITY CENTER

RECOMMENDATION: That the City Council authorize the City Manager to execute a Operations and Management Agreement (on file in the Records Management Department) with the Reach Out Organization of Upland, California, for the use of the Veteran's Memorial Park Community Center for one (1) year with the option to extend the agreement for up to two additional years.

COUNCIL GOALS: Develop Strategies and Take Actions, Including Regaining Local Control of the Ontario International Airport, to Minimize the Negative Impacts of the Global Financial Downturn on Ontario's Economy and the City's Fiscal Health
Encourage, Provide or Support Enhanced Recreational, Educational, Cultural and Healthy City Programs, Policies and Activities

FISCAL IMPACT: If approved, the Reach Out Organization will manage the Veteran's Memorial Park Community Center and provide programs and services for the local community. Reach Out will be responsible for all costs associated with the community center programming. The City will pay basic utilities, custodial, pest control and security costs associated with the facility, which are included in the Adopted FY 2012-13 budget.

BACKGROUND: In June 2012, Para Los Ninos sent notification that they would be unable to provide further services for the Veteran's Memorial Park Community Center. Upon notification, staff began seeking a partnership with another organization to take the lead in programming and operations of the community center. Based on their proposal, credentials, and references, staff initiated a trial period with Reach Out for the use of the community center to provide a six week summer camp and after school programming for the local schools and community. The six week summer program was a success; and staff recommends an operations and management agreement with Reach Out to provide programs and services that will benefit the youth and families in the local community.

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

Prepared by: Julie Dorey
Department: Recreation & Community Services

City Manager Approval: 

Submitted to Council/O.H.A. 09/04/2012

Approved: _____

Continued to: _____

Denied: _____

10

Reach Out is a well-established organization that has provided high quality services and programs in Ontario and surrounding cities for the past 42 years. Their organization began in Ontario as a solution to the rise in drug use and delinquency cases and serves Ontario residents through collaborations with Healthy Ontario and the West End Gangs and Drugs Task Force. Their service area includes Riverside and San Bernardino Counties and the Pomona Valley region. Reach Out is an organization committed to building the community by providing integrated and comprehensive services and programs through physical health and wellness, community/family strengthening and engagement and mental health to the children, youth and families in the Ontario area.

Reach Out has been able to maintain its \$2 million operating budget even in this economic downturn through its fund development team's efforts in grant writing, fundraising, collaborations, volunteerism and other sources. With the City's input and approval, Reach Out will work on revenue sources for the community center throughout the year to ensure its continued operation. The goal is to build a financially stable program that has a strong community base to provide activities and services in the area, such as, parenting education, youth recreation services, counseling, caregiver skill classes, afterschool programs (i.e. nutrition classes, homework assistance, social/emotional activities) agency referrals, financial literacy, early childhood classes, family strengthening workshops, walking clubs, sports and outdoor family events.

CITY OF ONTARIO

Agenda Report
September 4, 2012

SECTION:
ADMINISTRATIVE REPORTS/
DISCUSSION/ACTION

SUBJECT: A RESOLUTION MAKING APPOINTMENTS TO THE ONTARIO INTERNATIONAL AIRPORT AUTHORITY

RECOMMENDATION: That the City Council adopt a resolution designating initial members of the Ontario International Airport Authority (OIAA) Commission.

COUNCIL GOALS: Develop Strategies and Take Actions, Including Regaining Local Control of the Ontario International Airport, to Minimize the Negative Impacts of the Global Financial Downturn on Ontario's Economy and the City's Fiscal Health
Invest in the Growth and Evolution of the City's Economy
Pursue City's Goals and Objectives by Working with Other Governmental Agencies

FISCAL IMPACT: There is no fiscal impact associated with the appointment of OIAA Commission members.

BACKGROUND: In accordance with the terms and conditions of the OIAA Joint Powers Agreement, the City Council must appoint to the OIAA Commission two members of the business community serving the airport's four-county catchment area. The City Council appointees to the Commission have reviewed and evaluate potential candidates and recommend Riverside Mayor Ronald O. Loveridge and Orange County Business Council President and CEO Lucy Dunn for consideration and approval. Biographical information on each recommended appointee is attached for reference.

STAFF MEMBER PRESENTING: OIAA Commission Appointees:
Council Member Alan D. Wapner
Council Member Jim W. Bowman

Prepared by: Chris Hughes
Department: City Administration

City Manager
Approval: 

Submitted to Council/O.H.A. 09/04/2012
Approved: _____
Continued to: _____
Denied: _____



CITY OF ONTARIO

MEMORANDUM

TO: Honorable Mayor and Council Members

FROM: Alan D. Wapner, Council Member/Appointee to the OIAA
Jim W. Bowman, Council Member/Appointee to the OIAA

DATE: September 4, 2012

SUBJECT: ONTARIO INTERNATIONAL AIRPORT AUTHORITY

As Council Appointees to the Ontario International Airport Authority (OIAA), we have considered and evaluated candidates for appointment to the remaining two seats on the OIAA board. Based upon our review, we offer the following recommendations to the City Council for consideration and approval.

Ronald O. Loveridge – Mayor, City of Riverside

Ronald O. Loveridge has served as Riverside’s Mayor since 1994 and was a Riverside City Council Member from 1979 to 1994. Mayor Loveridge has played a pivotal role in the strategic and political landscape of the region, state and nation, serving in an active leadership capacity on the boards of the League of California Cities, National League of Cities, Southern California Association of Governments, Western Riverside Council of Governments, South Coast Air Quality Management District, and as an appointment by Governor Schwarzenegger to the California Air Resources Board. A bio is attached for further information.

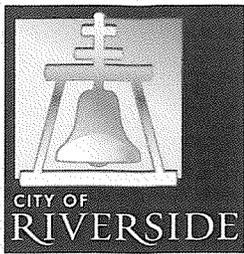
Lucy Dunn – President and CEO, Orange County Business Council

Lucy Dunn leads a dynamic organization of business members, working with academia and government, to ensure Orange County’s economic prosperity and high quality of life. Before joining the Business Council, she was appointed by Governor Schwarzenegger and confirmed by the California State Senate in 2004 to serve as Director of the California Department of Housing and Community Development. In June 2008, Governor Schwarzenegger appointed her to the California Transportation Commission. Ms. Dunn is a director of a number of non-profit organizations including the Lennar Charitable Housing Foundation dedicated to ending homelessness, and founder of the Bolsa Chica Conservancy dedicated to advocating for and restoring 1,000 acres of wetlands in Huntington Beach. A bio is attached for further information.

Respectfully,

Alan D. Wapner, Councilman

Jim W. Bowman, Councilman



City of Riverside, California

About Mayor Ronald O. Loveridge

Mayor Ronald O. Loveridge is widely acclaimed as an extraordinary politician, accomplished scholar, and man of unprecedented vision and reach. Please visit the Mayor's webpage at www.riversideca.gov/mayor to view some of his many programs and initiatives, and to read more about his city, regional, state and national leadership.

City Leadership:

With 32 years of public service – as the Ward 1 Councilmember beginning in 1979 and as Mayor since 1994 - Ron has committed himself to all aspects of local governance. The Office of the Mayor has a threefold mission. One, it provides leadership and works with the City Council in developing public policy that furthers the vision, and the reality, of Riverside as an exciting, diverse, urban and successful city - the City of Arts & Innovation. It conducts best practices analyses, consults with the community and proposes policy calls for adoption by the City Council and implementation by the City Manager. Two, the Office of the Mayor provides leadership and support to residents and businesses by representing their interests within the city organization, bringing them to the table to work together on City issues and opportunities. Creating working groups and task forces of community leaders, Ron initiates examination and improvement of our city, such as through: SmartRiverside, Mayor's Multicultural Forum, Transportation Accountability Performance (TAP), Council of Economic and Workforce Advisors (CEWA), Cultural Accountability Performance (CAP), Green Advisory Performance (GAP), and the Higher Education Business Council (HEBC), to name just a few. The Human Relations Commission (HRC), Mayor's Commission on Aging, and Mayor's Model Deaf Community Committee are all key standing commissions that the Mayor's Office staffs. Last, the Mayor acts as the chief spokesperson for, and ambassador of, the City.

Regional and State Leadership:

Mayor Loveridge is a highly regarded regional and state politician. His leadership at the State level is highlighted by his Presidency of the League of California Cities in 2003/04 as he led the charge to pass Proposition 1A. He continues to be very involved on the Executive Committee and Board of the League, making policy calls and decisions on behalf of the 474 member cities across the state of California. His regional and statewide service includes active Board roles on the broadest array of important organizations: the California Air Resources Board appointed by Governor Schwarzenegger, South Coast Air Quality Management District, Southern California Association of Governments, March Joint Powers Authority, and Western Riverside Council of Governments.

National Leadership:

Mayor Loveridge represents Riverside, and cities and towns across the country, through his leadership with the National League of Cities, since 2004. This prominent national lobbying, advocacy and leadership organization asserts the interests of the some 19,000 cities and towns across the country at the federal level. In 2010, Ron was the President of this Washington, D.C. based organization; an historic time requiring strong leadership and advocacy on jobs and economic growth among other federal priorities, and in 2011 he served on the Executive Committee as its immediate Past President. Ron was recently inducted into a prestigious national think tank, the National Academy of Public Administration.



**LUCY DUNN, President and CEO
Orange County Business Council**

Lucy Dunn serves as President and CEO of the Orange County Business Council since 2002, where she leads a dynamic organization of business members, working with academia and government, to ensure the county's economic prosperity and high quality of life.

Before joining the Business Council, Lucy was appointed by Governor Arnold Schwarzenegger and confirmed by the California State Senate in 2004 to serve as Director of the California Department of Housing and Community Development. In June 2008, Governor Schwarzenegger appointed her to the California Transportation Commission and in 2012, Governor Jerry Brown appointed her to serve a second term. She also served as a member of the Green Building Code Advisory Committee of the California Building and Standards Commission developing the nation's first green building standards. She helped develop Orange County's 10 Year Plan to End Homelessness and serves as a business advisor on two committees for the South Coast Air Quality Management District and for the Southern California Association of Governments. She is founding co-chair of the R.E.A.L. Coalition of 19 CEO's of California's largest business organizations from San Francisco to San Diego advocating for infrastructure, education, water and governance reform.

Lucy twice received the California State Legislature "Woman of the Year" in 1997 and in 2009 for her civic involvement and influence. In 2012, she received an Assembly Certificate of Recognition as "person of the year." In 2001, she served as the first woman president in the 80-year history of the Building Industry Association of Southern California. She serves on the boards of Pacific Symphony, Mobility 21, two redevelopment agency Oversight Boards, and Orange County Taxpayer Association.

She is the recipient of numerous honors and awards. In 2005, she received CBIA's D. Gregg Brown Award for "passionate and effective advocacy on behalf of housing." The **Orange County Business Journal** honored her with its 2006 "Women in Business" award, and in 2007, she received the prestigious "Vision and Visionaries" Award from Cal-State University, Fullerton. In 2008, she received the WTS-OC Chapter "Woman of the Year" award for advancing women in transportation and for leadership in renewal of Orange County's Measure M for transportation and in 2011 received the Private Sector Leader of the Year Award from Mobility 21. She has been twice named as one of OC Metro's "20 Women to Watch" and featured as its July 2011 "cover girl." In 2012, Southern California Association of Governments honored her with its President's Award.

Lucy is an attorney admitted to practice before the California State Bar, the federal bar and the U.S. Supreme Court. She is a director of a number of non-profit organizations including the Lennar Charitable Housing Foundation dedicated to ending homelessness, and founder of the Bolsa Chica Conservancy dedicated to advocating for and restoring 1000 acres of wetlands in Huntington Beach. She is a founder and member of Meistersingers, and Meritage, two Orange County based non-profit chamber vocal ensembles.

She is the mother of two sons who reside in San Francisco, one of whom is a San Francisco Deputy Sheriff and the other an account manager for a major online marketing firm.

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO,
CALIFORNIA, DESIGNATING APPOINTEES TO THE ONTARIO
INTERNATIONAL AIRPORT AUTHORITY COMMISSION.

WHEREAS, the Ontario International Airport (the "Airport") is located within the City of Ontario (the "City") and the County of San Bernardino (the "County") in the State of California; and

WHEREAS, the City and County have a strong interest in the success of the Airport as a main driver of economic development in the Inland Empire region of Southern California as a whole, and Ontario and San Bernardino County in particular; and

WHEREAS, the City and County are each empowered by law to acquire, construct, improve, develop, repair, maintain, operate, administer, and lease airports or airport-related facilities; and

WHEREAS, the City Council has approved a Joint Powers Agreement creating a public entity, separate and apart from the City and the County, referred to as the Ontario International Airport Authority to operate, maintain, manage, develop, and market the Airport; and

WHEREAS, the Joint Powers Agreement requires the City Council to appoint two members from the business community serving the airport's four-county catchment area to serve on the board of the Authority.

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

SECTION 1. The City Council, in accordance with the Joint Powers Agreement, hereby determines that Ronald O. Loveridge and Lucy Dunn shall serve as appointees to the Ontario International Airport Authority Commission representing the business community.

SECTION 2. Effective Date. This Resolution will take effect immediately upon its adoption.

SECTION 3. Certification. The City Clerk shall certify as to the adoption of this Resolution and forward copies of this Resolution to the Ontario International Airport Authority and the Clerk of the Board, County of San Bernardino.

PASSED, APPROVED, AND ADOPTED this 4th day of September 2012.

PAUL S. LEON, MAYOR

ATTEST:

MARY E. WIRTES, MMC, CITY CLERK

APPROVED AS TO LEGAL FORM:

BEST BEST & KRIEGER LLP
CITY ATTORNEY

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

I, MARY E. WIRTES, City Clerk of the City of Ontario, DO HEREBY CERTIFY that foregoing Resolution No. 2012- was duly passed and adopted by the City Council of the City of Ontario at their regular meeting held September 4, 2012 by the following roll call vote, to wit:

AYES: COUNCIL MEMBERS:

NOES: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

MARY E. WIRTES, MMC, CITY CLERK

(SEAL)

The foregoing is the original of Resolution No. 2012- duly passed and adopted by the Ontario City Council at their regular meeting held September 4, 2012.

MARY E. WIRTES, MMC, CITY CLERK

(SEAL)