

CITY OF ONTARIO
CITY COUNCIL AND HOUSING AUTHORITY
AGENDA
SEPTEMBER 16, 2014

Paul S. Leon
Mayor

Alan D. Wapner
Mayor pro Tem

Jim W. Bowman
Council Member

Debra Dorst-Porada
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

Wapner, Bowman, Dorst-Porada, 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 54956.9 (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: Wapner, Bowman, Dorst-Porada, Avila, Mayor/Chairman Leon

PLEDGE OF ALLEGIANCE

Council Member Bowman

INVOCATION

Pastor Carlos Gonzales, Inland Valley Church of Christ

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 5 and August 19, 2014, and approving same as on file in the Records Management Department.

2. BILLS/PAYROLL

Bills July 27, 2014 through August 9, 2014 and **Payroll** July 27, 2014 through August 9, 2014, when audited by the Finance Committee.

3. RECOGNITION OF NATIONAL PREPAREDNESS MONTH

That the City Council recognize the month of September 2014 as National Preparedness Month in the City of Ontario.

4. AN ORDINANCE AMENDING CHAPTER 6 OF TITLE 4 OF THE ONTARIO MUNICIPAL CODE PERTAINING TO SEVENTY-TWO HOUR PARKING LIMITATIONS

That the City Council consider and adopt an ordinance amending Chapter 6 of Title 4 of the Ontario Municipal Code pertaining to seventy-two hour parking limitations in city-owned parking lots and facilities.

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, AMENDING CHAPTER 6 OF TITLE 4 OF THE ONTARIO MUNICIPAL CODE RELATED TO SEVENTY-TWO (72) HOUR PARKING LIMITATIONS.

5. A RESOLUTION OF INTENT TO VACATE KERN STREET BETWEEN GROVE AVENUE AND MILDRED AVENUE AND THAT PORTION OF PEACH AVENUE FROM KERN STREET TO APPROXIMATELY 350 FEET NORTH OF BELMONT STREET

That the City Council adopt a resolution declaring the intent to vacate Kern Street between Grove Avenue and Mildred Avenue and that portion of Peach Avenue from Kern Street to approximately 350 feet north of Belmont Street; and to set the date, time and place for a public hearing.

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, PERTAINING TO THE VACATION OF KERN STREET BETWEEN GROVE AVENUE AND MILDRED AVENUE AND THAT PORTION OF PEACH AVENUE FROM KERN STREET TO APPROXIMATELY 350 FEET NORTH OF BELMONT STREET AND TO SET THE DATE, TIME AND PLACE FOR A PUBLIC HEARING.

6. RECOGNITION OF OCTOBER 5-11, 2014 AS "NATIONAL FIRE PREVENTION WEEK"

That the City Council recognize the week of October 5-11, 2014 as "National Fire Prevention Week" in the City of Ontario and invite the public to attend the Ontario Fire Department Open House to be held on October 4, 2014.

7. ONTARIO HOUSING AUTHORITY ANNUAL REPORT FOR FISCAL YEAR 2013-14

That the Board of the Ontario Housing Authority approve the Annual Report for Fiscal Year 2013-2014 ("Annual Report") (on file in the Records Management Department), and authorize the Executive Director to transmit to the California Department of Housing and Community Development the final Annual Report as required by State law.

8. DEMOLITION AND SITE CLEARANCE SERVICES AT THREE QUIET HOME PROGRAM PROPERTIES AND RELATED ON-CALL DEMOLITION SERVICES FOR FUTURE PROJECTS/VIZION'S WEST, INC.

That the City Council and Ontario Housing Authority Board:

- (A) Award Contract No. P150-1415-01 (on file with the Records Management Department) to Vizion's West, Inc. of Menifee, California in the amount of \$53,318 plus 15% contingency of \$7,998 for a total not-to-exceed amount of \$61,316 for demolition and site clearance services at three Quiet Home Program properties;
- (B) Authorize the City Manager/Executive Director to execute Contract No. P150-1415-01 for an initial term expiring June 30, 2016 and authorize the option to extend the initial term, for on-call services, for up to two consecutive one year terms consistent with the City Council and Housing Authority Board approved budgets for the respective fiscal years; and
- (C) Authorize the City Manager/Executive Director to execute other related documents necessary to implement said contract, and to file Notices of Completion with the San Bernardino County Recorder's Office upon completion of work performed.

9. A PROFESSIONAL SERVICES AGREEMENT FOR THE ACQUISITION OF BODY-WORN CAMERA SYSTEMS/TASER INTERNATIONAL, INC.

That the City Council authorize the City Manager to negotiate and execute a professional services agreement with TASER International, Inc., of Scottsdale, Arizona, for the acquisition of 220 body-worn camera systems, including maintenance and data management services for a 5-year period, in the amount of \$1,108,699; and authorize any future amendments to the agreement up to the approved grant award.

PUBLIC HEARINGS

10. RESOLUTIONS OF NECESSITY FOR THE ACQUISITION OF PERMANENT ROAD EASEMENT AND TEMPORARY CONSTRUCTION EASEMENT INTERESTS IN PORTIONS OF REAL PROPERTY LOCATED ON OR NEAR EDISON AVENUE BETWEEN ARCHIBALD AND HAVEN AVENUES

That the City Council adopt Resolutions of Necessity for the purposes of acquiring permanent road easement and temporary construction easement (TCE) interests in portions of real property located on or near Edison Avenue and more particularly described as Assessor Parcel Nos. 0218-201-19, 0218-201-26 and 0218-201-27, by eminent domain for the widening of Edison Avenue, between Archibald Avenue and Haven Avenue.

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

Written communication.

Oral presentation.

Public hearing closed.

RESOLUTION NO. _____

A RESOLUTION OF NECESSITY OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, FOR THE ACQUISITION BY EMINENT DOMAIN OF A PERMANENT ROAD EASEMENT INTEREST IN A PORTION OF REAL PROPERTY LOCATED ON OR NEAR EDISON AVENUE AND MORE PARTICULARLY DESCRIBED AS ASSESSOR PARCEL NO. 0218-201-19, FOR THE WIDENING OF EDISON AVENUE, BETWEEN ARCHIBALD AVENUE AND HAVEN AVENUE, IN THE CITY OF ONTARIO, CALIFORNIA.

RESOLUTION NO. _____

A RESOLUTION OF NECESSITY OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, FOR THE ACQUISITION BY EMINENT DOMAIN OF PERMANENT ROAD EASEMENT AND TEMPORARY CONSTRUCTION EASEMENT INTERESTS IN PORTIONS OF REAL PROPERTY LOCATED ON OR NEAR EDISON AVENUE AND MORE PARTICULARLY DESCRIBED AS ASSESSOR PARCEL NOS. 0218-201-26 AND 0218-201-27, FOR THE WIDENING OF EDISON AVENUE, BETWEEN ARCHIBALD AVENUE AND HAVEN AVENUE, IN THE CITY OF ONTARIO, CALIFORNIA.

11. A PUBLIC HEARING TO RECEIVE TESTIMONY AND ADOPT THE CONSOLIDATED ANNUAL PERFORMANCE AND EVALUATION REPORT (CAPER) FOR THE 2013-14 FISCAL YEAR

That the City Council:

- (A) Hold a public hearing to receive testimony on the draft Consolidated Annual Performance and Evaluation Report (CAPER) for the 2013-14 Fiscal Year (on file in the Records Management Department);
- (B) Direct staff to prepare and transmit to the U.S. Department of Housing and Urban Development (HUD) the final CAPER, which will address all public comments received on the draft CAPER; and
- (C) Authorize the City Manager to execute any and all documents necessary and/or desirable to transmit CAPER to HUD.

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.

STAFF MATTERS

City Manager Boling

COUNCIL MATTERS

DISCUSSION ON INVESTIGATIVE REPORT

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

ADJOURNMENT

**CITY OF ONTARIO
CLOSED SESSION REPORT**
City Council // Housing Authority // Other // (GC 54957.1)
September 16, 2014

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 54956.9 (d)(1), CONFERENCE WITH LEGAL COUNSEL, EXISTING LITIGATION: *City of Ontario vs. 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

**ONTARIO CITY COUNCIL
ONTARIO HOUSING AUTHORITY
MINUTES
AUGUST 5, 2014
*(Not Official Until Approved)***

JOINT MEETINGS

The Regular Joint Meetings scheduled for August 5, 2014, were cancelled so the City Council could participate in National Night Out. The next regular meetings will be held on August 19, 2014, in the Ontario City Hall, 303 East B Street, Ontario, California.

Respectfully submitted,

VICKI KASAD, MMC, ASSISTANT CITY CLERK/SECRETARY

APPROVED

PAUL S. LEON, MAYOR/CHAIRMAN

CITY OF ONTARIO

Agenda Report
September 16, 2014

SECTION: CONSENT CALENDAR

SUBJECT: RECOGNITION OF NATIONAL PREPAREDNESS MONTH

RECOMMENDATION: That the City Council recognize the month of September 2014 as National Preparedness Month in the City of Ontario.

COUNCIL GOALS: Regain Local Control of the Ontario International Airport
Maintain the Current High Level of Public Safety

FISCAL IMPACT: None.

BACKGROUND: For the tenth consecutive year, the Federal Emergency Management Agency (FEMA) has announced September as National Preparedness Month (NPM). The goal of NPM is to build awareness and encourage Americans to prepare for emergencies in their homes, businesses, schools, and communities. NPM is managed and sponsored by FEMA's Ready Campaign. The Ready Campaign works closely with Citizen Corps and the Ad Council to increase national emergency preparedness awareness across the nation.

During NPM residents are encouraged to plan for an emergency by making a family emergency plan, become informed about the different types of emergencies/disasters that could occur in their community, build an emergency supply kit, and get involved in City of Ontario CERT training. All residents are encouraged to visit the City of Ontario's website for additional information regarding emergency plans, hazard mitigation, family emergency kits, and general emergency preparedness guidance.

STAFF MEMBER PRESENTING: Jacob Green, Assistant City Manager

Prepared by: Paul Walker
Department: Emergency Management

City Manager
Approval: 

Submitted to Council/O.H.A. 09/16/2014

Approved: _____

Continued to: _____

Denied: _____

CITY OF ONTARIO

Agenda Report
September 16, 2014

SECTION:
CONSENT CALENDAR

SUBJECT: AN ORDINANCE AMENDING CHAPTER 6 OF TITLE 4 OF THE ONTARIO MUNICIPAL CODE PERTAINING TO SEVENTY-TWO HOUR PARKING LIMITATIONS

RECOMMENDATION: That the City Council consider and adopt an ordinance amending Chapter 6 of Title 4 of the Ontario Municipal Code pertaining to seventy-two hour parking limitations in city-owned parking lots and facilities.

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

FISCAL IMPACT: The adoption of this ordinance has no fiscal impact.

BACKGROUND: At their September 2, 2014 meeting, the City Council introduced an ordinance amending Title 4, Chapter 6 of the Ontario Municipal Code (OMC) related to seventy-two hour parking and enforcement. Staff recommends taking final action on this item.

Title 4, Chapter 6 of the OMC includes provisions that limit vehicle parking on streets and alleys to no more than seventy-two consecutive hours. The OMC also gives the Police Department the authority to remove vehicles in violation of the seventy-two hour parking limit. The seventy-two hour limit and authority to remove vehicles does not, however, include city-owned parking lots and parking facilities such as the public parking lots in the Town Center, city parks, recreation facilities and government buildings.

Downtown development including the JH Snyder housing units, De Oro Plaza and the Town Center Plaza are putting higher demands on the available public parking facilities. Some city-owned parking facilities are now being used to store residents' vehicles for extended periods of time and in some cases vehicles have been abandoned. Both practices make it difficult to meet the overall parking demand and limit the ability to maintain the parking lots in good order.

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

Prepared by: Tom Danna
Department: Engineering

City Manager
Approval: 

Submitted to Council/O.H.A. 09/16/2014
Approved: _____
Continued to: _____
Denied: _____

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California Vehicle Code (C.V.C.) Section 21113 allows municipalities to impose parking restrictions on property under their direct control, and amending the OMC consistent with the C.V.C. will provide greater ability to better regulate and maintain city-owned parking lots.

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, AMENDING CHAPTER 6 OF TITLE 4 OF THE ONTARIO MUNICIPAL CODE RELATED TO SEVENTY-TWO (72) HOUR PARKING LIMITATIONS.

WHEREAS, the general provisions governing traffic within the City of Ontario ("City") are set forth in Chapter 6 of Title 4 of the Ontario Municipal Code; and

WHEREAS, Section 4-6.1011 of Article 10 of Chapter 6 of Title 4 of the Ontario Municipal Code limits parking of any vehicle to no more than seventy-two (72) consecutive hours on any street or alley within the City; and

WHEREAS, Section 4-6.309 of Article 3 of Chapter 6 of Title 4 and Section 4-6.1016 of Article 10 of Chapter 6 of Title 4 of the Ontario Municipal Code give the Police Department the authority to remove from streets abandoned vehicles or vehicles in violation of established parking regulations; and

WHEREAS, in addition to public roadways, there are numerous City-owned, off-street public parking lots and parking facilities where vehicles are either abandoned or parked for more than seventy-two (72) hours; and

WHEREAS, vehicles abandoned or parked in public parking lots and facilities for extended periods of time can disrupt the use of these public facilities, attract crime or vandalism, and create a public nuisance; and

WHEREAS, it is in the City's best interest to maintain these public parking lots and facilities in good order and maximize parking availability for the benefit of all residents and business owners by ensuring that vehicles are not left unattended for extended periods of time; and

WHEREAS, it is prudent and in the interests of public safety and welfare to apply the seventy-two (72) hour parking limitation to all public parking lots and public parking facilities and to provide law enforcement the authority to remove vehicles from these parking lots and facilities if the limitation is exceeded.

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

SECTION 1. Section 4-6.306 of Article 3 of Chapter 6 of Title 4 of the Ontario Municipal Code is hereby amended, in its entirety, to read as follows:

Article 3. Enforcement and Obedience to Traffic Regulations

Section 4-6.306. Interference with Police Officers, Other Authorized Persons, and Markings.

(a) No person shall interfere with, or obstruct in any way, any police officer or other officer or employee of the City in the enforcement of the provisions of this chapter.

(b) The removal, obliteration, or concealment of any chalk or other distinguishing mark used by any police officer or other employee or officer of the City in connection with the enforcement of the parking regulations of this chapter shall, if done for the purpose of evading the provisions of this chapter, constitute such interference or obstruction.

(c) A mere change in the position of any automobile or other vehicle within the prescribed area and within the same block during times of limited parking, or a mere change in the stall, space, or position of any automobile or other vehicle within the same City-owned parking lot or parking facility during a period of seventy-two (72) or more consecutive hours, shall not constitute a defense, excuse, or justification for any prosecution pursuant to the provisions of this chapter.

SECTION 2. Section 4-6.309 of Article 3 of Chapter 6 of Title 4 of the Ontario Municipal Code is hereby amended, in its entirety, to read as follows:

Article 3. Enforcement and Obedience to Traffic Regulations

Section 4-6.309. Removal of Vehicles from Streets, Alleys and City-Owned Parking Lots and Parking Facilities.

Any regularly employed and salaried officer of the Police Department, or any other authorized person undertaking the enforcement of the provisions of this chapter, may remove or cause to be removed the following vehicles:

(a) Any vehicle which has been parked or left standing upon a street, alley, or City-owned parking lot or parking facility for a period of seventy-two (72) or more consecutive hours; or

(b) Any vehicle which is parked or left standing upon a street, alley, or City-owned parking lot or parking facility between the hours of 7:00 a.m. and 7:00 p.m. when such parking or standing is prohibited by law and signs are posted giving notice of such removal; provided, however, that signs giving notice that such vehicle may be removed shall be erected or placed at least twenty-four (24) hours prior to the removal; or

(c) Any vehicle which is parked or left standing upon a street, alley, or City-owned parking lot or parking facility where the use of such street, alley, or City-owned parking lot or parking facility, or any portion thereof, is necessary for the cleaning, repair, or construction of the street, alley, or City-owned parking lot or parking facility or for the installation of underground utilities, or where the use of the street, alley, or City-owned parking lot or parking facility, or any portion thereof, is authorized for a purpose other than the normal flow of traffic, or where

the use of the street, alley, or City-owned parking lot or parking facility, or any portion thereof, is necessary for the movement of equipment, articles, or structures of unusual size and the parking of such vehicle would prohibit or interfere with such use or movement; provided, however, that signs giving notice that such vehicle may be removed shall be erected or placed at least twenty-four (24) hours prior to the removal.

SECTION 3. Section 4-6.1011 of Article 10 of Chapter 6 of Title 4 of the Ontario Municipal Code is hereby amended, in its entirety, to read as follows:

Article 10. Stopping, Standing, and Parking for Certain Purposes or in Certain Places

Section 4-6.1011. Seventy-Two (72) Hour Limit.

No person who owns or has possession, custody, or control of any vehicle shall park such vehicle upon any street, alley, or City-owned parking lot or parking facility for a period of seventy-two (72) or more consecutive hours.

SECTION 4. Section 4-6.1016 of Article 10 of Chapter 6 of Title 4 of the Ontario Municipal Code is hereby amended, in its entirety, to read as follows:

Article 10. Stopping, Standing, and Parking for Certain Purposes or in Certain Places

Section 4-6.1016. Removal of Vehicles.

In the event of a violation of the provisions of § 4-6.309 of Article 3; §§ 4-6.1003 through 4-6.1005, 4-6.1007, 4-6.1009, 4-6.1011, 4-6.1014 of Article 10; § 4-6.1108 of Article 11; and §§ 4-6.1204 and 4-6.1207 of Article 12 of this chapter, the Police Department is hereby authorized to have the violating vehicles towed away and stored, and the owner, driver, or other person with a right of possession of the vehicle shall pay all lawful charges before the vehicle is returned, in addition to any bail or fine imposed by the courts for the citation of the violation.

SECTION 5. This updated amendment to the ordinance shall become effective thirty (30) days following its adoption.

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 16th day of September 2014.

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. 3000 was duly introduced at a regular meeting of the City Council of the City of Ontario held September 2, 2014 and adopted at the regular meeting held September 16, 2014 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. 3000 duly passed and adopted by the Ontario City Council at their regular meeting held September 16, 2014 and that Summaries of the Ordinance were published on September 9, 2014 and September 23, 2014, in the Inland Valley Daily Bulletin newspaper.

MARY E. WIRTES, MMC, CITY CLERK

(SEAL)

CITY OF ONTARIO

Agenda Report
September 16, 2014

SECTION: CONSENT CALENDAR

SUBJECT: A RESOLUTION OF INTENT TO VACATE KERN STREET BETWEEN GROVE AVENUE AND MILDRED AVENUE AND THAT PORTION OF PEACH AVENUE FROM KERN STREET TO APPROXIMATELY 350 FEET NORTH OF BELMONT STREET

RECOMMENDATION: That the City Council adopt a resolution declaring the intent to vacate Kern Street between Grove Avenue and Mildred Avenue and that portion of Peach Avenue from Kern Street to approximately 350 feet north of Belmont Street; and to set the date, time and place for a public hearing.

COUNCIL GOALS: Regain Local Control of the Ontario International Airport
Invest in the Growth and Evolution of the City's Economy

FISCAL IMPACT: None. The City did not pay for acquiring the subject right-of-way and will not incur any cost for vacating this right-of-way. The applicant has paid the applicable processing fees to defray the City's cost to process this request.

BACKGROUND: The applicant, Mission/Grove Partners, L. P. (Brad and Richard Boatman, of Costa Mesa, California, Managing Members) has requested that the City vacate Kern Street between Grove Avenue and Mildred Avenue and a portion of Peach Avenue, from Kern Street to approximately 350 feet north of Belmont Street, as shown on the attached exhibit, to optimize the development of its property. The right-of-way, neither now nor in the future will be needed for traffic circulation or public necessity.

Currently, there are public utilities within Kern Street and Peach Avenue. These utilities will no longer be necessary upon vacation of the streets and will be abandoned.

If approved by Council, the date and time for a Public Hearing shall be fixed as Tuesday, October 7, 2014 at 6:30 p.m. in the City Council Chambers.

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

Prepared by: Dean A. Williams
Department: Engineering

City Manager
Approval: 

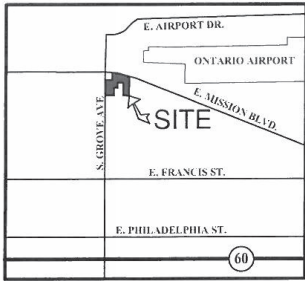
Submitted to Council/O.H.A. 09/16/2014

Approved: _____

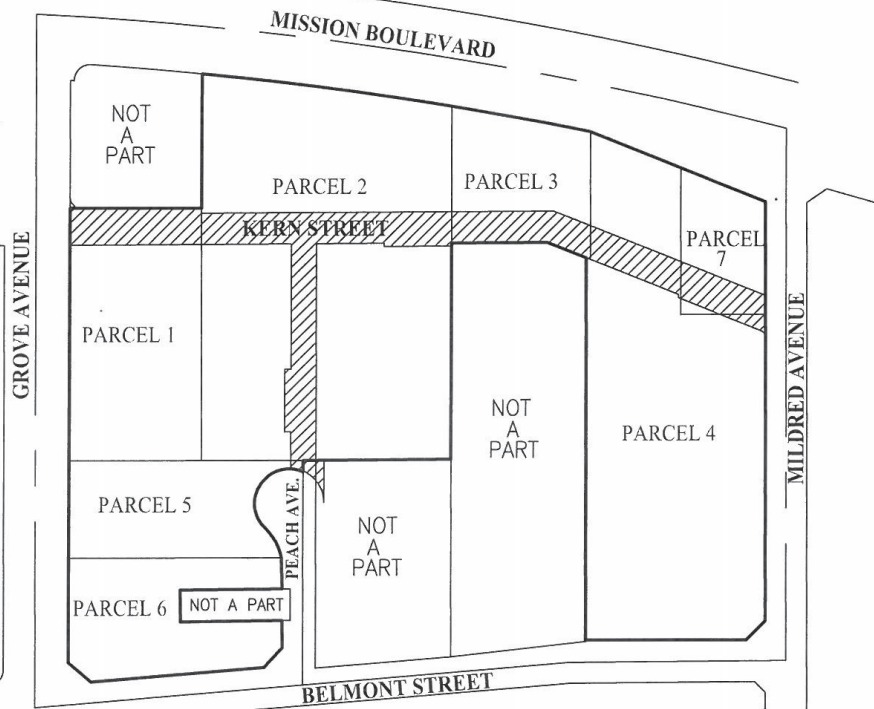
Continued to: _____

Denied: _____

EXHIBIT



VICINITY MAP
NOT TO SCALE



LEGEND:



STREETS
TO BE
VACATED

CITY OF ONTARIO
ENGINEERING DEPARTMENT
FILE NO. PM 19515

APPLICANT:
MISSION GROVE PARTNERS
PROJECT:
MISSION & GROVE BUSINESS PARK

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, PERTAINING TO THE VACATION OF KERN STREET BETWEEN GROVE AVENUE AND MILDRED AVENUE AND THAT PORTION OF PEACH AVENUE FROM KERN STREET TO APPROXIMATELY 350 FEET NORTH OF BELMONT STREET AND SET THE TIME AND PLACE FOR A PUBLIC HEARING.

WHEREAS, that the City Council of the City of Ontario, California, elect, and it is the intention of said City Council to declare the intention to vacate Kern Street, from Grove Avenue to Mildred Avenue and that certain portion of Peach Avenue, from Kern Street to approximately 350 feet north of Belmont Street, being a portion of a subdivision of lots 11 through 29, inclusive, together with lots 32 through 35, inclusive of Tract No. 2238, Braundale Acres, in the City of Ontario, County of San Bernardino, State of California, as per plat recorded in Book 32 of Maps, page 23, records of said county; and

WHEREAS, that the vacation herein proposed shall be carried through pursuant to the "Public Streets, Highways and Service Easement Vacation Law," being Part 3 of Division 9 of the Streets and Highways Code of the State of California; and

WHEREAS, notice is hereby given that on Tuesday, the 7th day of October, 2014, at the hour of 6:30 p.m., in the City Council Chambers of the City Hall of the City of Ontario, California, is the time and place fixed for hearing all persons interested in, or objecting to, the proposed vacation; and

WHEREAS, the City Engineer of said City of Ontario shall cause to be conspicuously posted, along the lines of the proposed vacations, notices of the passage of this Resolution of Intention, in the time, form and manner provided by said Code; and

WHEREAS, that the City Clerk shall certify to the passage of this Resolution of Intention, and shall cause the same to be published after its adoption for at least two successive weeks in a newspaper of general circulation, published and circulated in said City of Ontario.

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

PASSED, APPROVED, AND ADOPTED this 16th day of September 2014.

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. 2014- was duly passed and adopted by the City Council of the City of Ontario at their regular meeting held September 16, 2014 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. 2014- duly passed and adopted by the Ontario City Council at their regular meeting held September 16, 2014.

MARY E. WIRTES, MMC, CITY CLERK

CITY OF ONTARIO

Agenda Report
September 16, 2014

SECTION:
CONSENT CALENDAR

SUBJECT: RECOGNITION OF OCTOBER 5-11, 2014 AS "NATIONAL FIRE PREVENTION WEEK"

RECOMMENDATION: That the City Council recognize the week of October 5-11, 2014 as "National Fire Prevention Week" in the City of Ontario and invite the public to attend the Ontario Fire Department Open House to be held on October 4, 2014.

COUNCIL GOALS: Regain Local Control of the Ontario International Airport
Maintain the Current High Level of Public Safety

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

FISCAL IMPACT: The Fiscal Year 2014-15 Adopted Budget includes appropriations for the minimal staff and materials cost associated with the annual Ontario Fire Department Open House.


BACKGROUND: "National Fire Prevention Week" commemorates the Great Chicago Fire of 1871, which killed more than 250 persons, left 100,000 homeless, and destroyed more than 17,400 buildings. Every year since 1925, the President of the United States has signed a proclamation pronouncing a national observance during Fire Prevention Week.

The National Fire Protection Association announced Fire Prevention Week 2014 to be observed throughout the nation on October 5-11. Their theme, "Working Smoke Alarms Save Lives: Test Yours Every Month!" will also be the theme at the Ontario Fire Department Open House on Saturday, October 4, 2014, from 9:00 a.m. until 2:00 p.m. at the Ontario Fire Department Training Facility located at 1408 East Francis Street.

This year's theme actively works to motivate Ontario residents to take actions to keep their homes and family safe from fire. This annual observance serves as a way to keep the public informed about the importance of fire prevention.

STAFF MEMBER PRESENTING: Floyd E. Clark, Fire Chief

Prepared by: Art Andres
Department: Fire

City Manager
Approval: 

Submitted to Council/O.H.A. 09/16/2014

Approved: _____

Continued to: _____

Denied: _____

CITY OF ONTARIO

Agenda Report
September 16, 2014

SECTION:
CONSENT CALENDAR

SUBJECT: ONTARIO HOUSING AUTHORITY ANNUAL REPORT FOR FISCAL YEAR 2013-14

RECOMMENDATION: That the Board of the Ontario Housing Authority approve the Annual Report for Fiscal Year 2013-2014 ("Annual Report") (on file in the Records Management Department), and authorize the Executive Director to transmit to the California Department of Housing and Community Development the final Annual Report as required by State law.

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

FISCAL IMPACT: None.

BACKGROUND: In accordance with Health and Safety Code (HSC) Sections 34328 and 34328.1, the Ontario Housing Authority (OHA) must prepare a complete report of its activities during the previous fiscal year. The Annual Report must be filed with the City Clerk and submitted to the California Department of Housing and Community Development (HCD).

Staff has prepared the OHA Annual Report to comply with the requirements of HSC Sections 34328, 34328.1, and 34312.3, which require the following information:

- HSC Section 34312.3 requires that the Annual Report provide a complete report of activities taken during the prior fiscal year.
- HSC 34312.3 requires that housing authorities show compliance with the following requirements:
 - Minimum amount of housing units affordable to lower income households in housing projects assisted.
 - Documentation regarding any minimum and maximum rent requirements for lower income households pursuant to State and Federal requirements.

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

Prepared by: Julie Bjork
Department: Housing

City Manager
Approval: 

Submitted to Council/O.H.A. 09/16/2014
Approved: _____
Continued to: _____
Denied: _____

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- HSC 34328.1 requires data on termination of tenancies due to domestic violence in housing authority units and summary of actions taken by housing authorities to address termination of tenancies resulting from domestic violence.

All of the OHA's properties meet all of the affordability requirements.

Subsequent to Board approval of the OHA Annual Report, staff will submit the final report to HCD.

CITY OF ONTARIO

Agenda Report
September 16, 2014

SECTION:
CONSENT CALENDAR

SUBJECT: DEMOLITION AND SITE CLEARANCE SERVICES AT THREE QUIET HOME PROGRAM PROPERTIES AND RELATED ON-CALL DEMOLITION SERVICES FOR FUTURE PROJECTS

RECOMMENDATION: That the City Council and Ontario Housing Authority Board:

- (A) Award Contract No. P150-1415-01 (on file with the Records Management Department) to Vizion's West, Inc. of Menifee, California in the amount of \$53,318 plus 15% contingency of \$7,998 for a total not-to-exceed amount of \$61,316 for demolition and site clearance services at three Quiet Home Program properties;
- (B) Authorize the City Manager/Executive Director to execute Contract No. P150-1415-01 for an initial term expiring June 30, 2016 and authorize the option to extend the initial term, for on-call services, for up to two consecutive one year terms consistent with the City Council and Housing Authority Board approved budgets for the respective fiscal years; and
- (C) Authorize the City Manager/Executive Director to execute other related documents necessary to implement said contract, and to file Notices of Completion with the San Bernardino County Recorder's Office upon completion of work performed.

COUNCIL GOALS: Regain Local Control of the Ontario International Airport
Invest in the Growth and Evolution of the City's Economy

FISCAL IMPACT: Current and future on-call Quiet Home Program demolition and site clearance work will be paid through Federal Aviation Administration (FAA) or Los Angeles World Airports (LAWA) grants. Appropriations for the first year of the initial term of the contract are included in the adopted Fiscal Year 2014-2015 Budget. Should the optional term extensions be exercised to meet City of Ontario ("City") or Ontario Housing Authority ("Authority") on-call demolition and site clearance needs, the total compensation shall not exceed the amounts allocated in their approved budgets for the respective fiscal years.

STAFF MEMBER PRESENTING: Brent Schultz, Housing & Municipal Services Director

Prepared by: Samuel C. Delgado
Department: Housing & Municipal Services

City Manager
Approval: 

Submitted to Council/O.H.A. 09/16/2014

Approved: _____

Continued to: _____

Denied: _____

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BACKGROUND: On June 12, 2014, the City and Authority terminated the previous on-call demolition and site clearance services contract due to the contractor's inability to meet the contract terms and conditions for future work required. To ensure demolition services remain available for current and future City and Authority projects, City staff solicited bids for a new contract. This recommended contract includes demolition and site clearance work at three City-owned properties acquired through the Quiet Home Program (see attached location map). It also establishes a new set of unit prices for future residential demolition work, which will remain fixed for the term of the new contract. On August 11, 2014, the City received a total of four bids. The bid results were as follows for the three properties:

Company	Location	Bid Amount
Vizion's West, Inc.	Menifee, CA	\$53,318
American Integrated Services, Inc.	Wilmington, CA	\$60,843
Interior Demolition, Inc.	Montrose, CA	\$78,053
American Wrecking, Inc.	South El Monte, CA	\$79,714

City staff reviewed the bid submittals and determined that Vizion's West, Inc. ("Contractor") is the lowest responsible and responsive bidder with a bid amount of \$53,318.

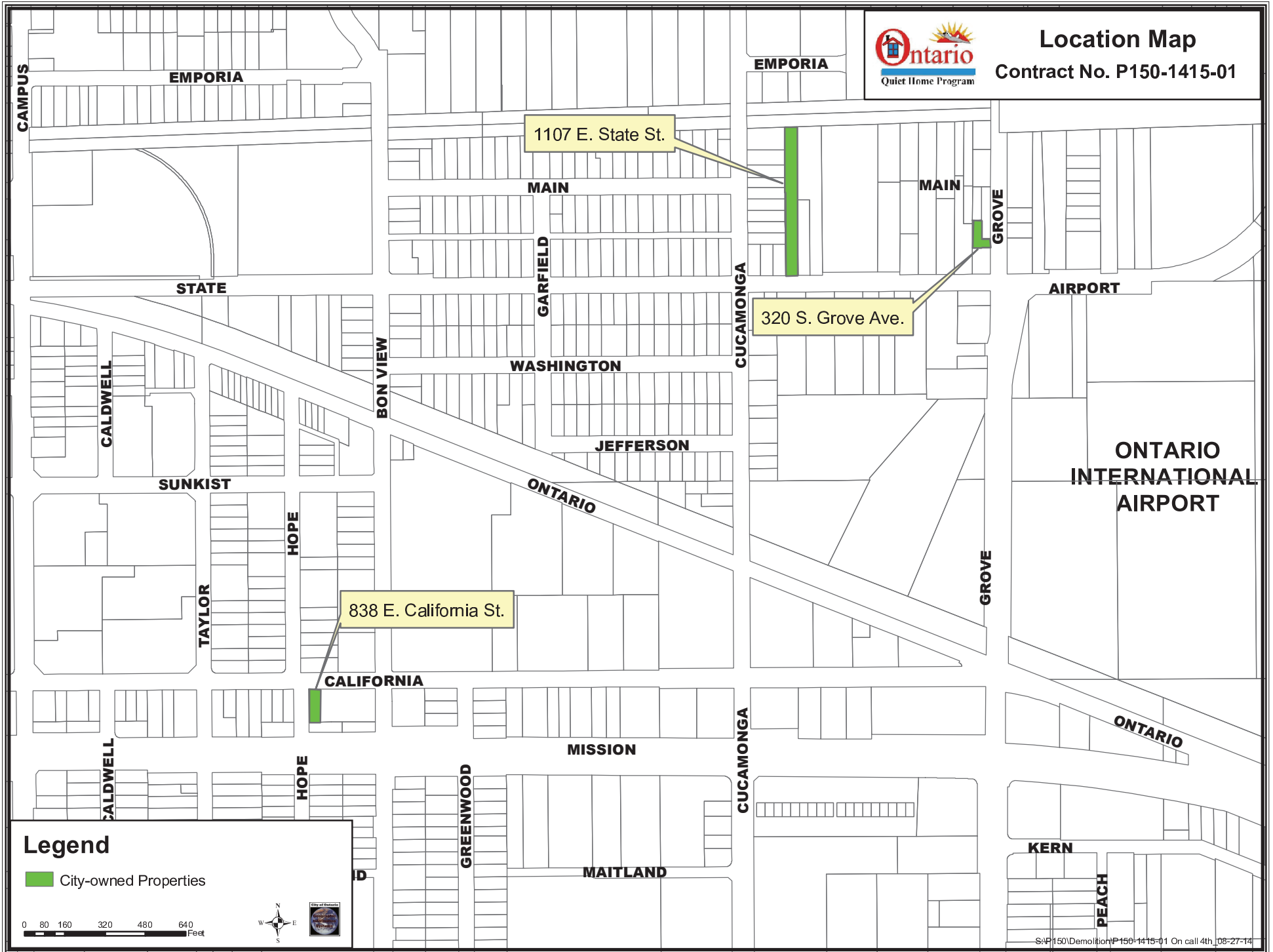
The recommended contractor has successfully completed demolition, asbestos abatement and site clearance work throughout the region for about 18 years. References were checked and found to be satisfactory. The contractor has successfully completed demolition and asbestos abatement projects for Cal-Trans in Orange and Riverside Counties and Cal-Fire in Riverside County. The proposed contract allows the City and the Authority to extend the term for up to two consecutive one year terms, seek cost proposals, if necessary, from other qualified contractors for any future projects and conduct work on privately owned properties, which may be necessary for dangerous buildings due to health and safety violations as determined by the Code Enforcement Department.

Quiet Home Program staff will continue to coordinate with the Fire and Police Departments to make City-owned residential structures, planned for demolition, available for drills and other training exercises prior to actual demolition.



Location Map

Contract No. P150-1415-01



CITY OF ONTARIO

Agenda Report
September 16, 2014

SECTION:
CONSENT CALENDAR

SUBJECT: A PROFESSIONAL SERVICES AGREEMENT FOR THE ACQUISITION OF BODY-WORN CAMERA SYSTEMS

RECOMMENDATION: That the City Council authorize the City Manager to negotiate and execute a professional services agreement with TASER International, Inc., of Scottsdale, Arizona, for the acquisition of 220 body-worn camera systems, including maintenance and data management services for a 5-year period, in the amount of \$1,108,699; and authorize any future amendments to the agreement up to the approved grant award.

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

FISCAL IMPACT: City Council approved acceptance of Proposition 30 Law Enforcement funding from the State of California as part of the FY 2013-14 and FY 2014-15 Budget. The initial equipment purchase and year-one maintenance and data storage costs will utilize existing Proposition 30 funding for a total amount of \$419,035. Subsequent years' maintenance and data storage fees for the system total \$689,664 and will be funded through the Information Technology fund. If approved, appropriations will be included in the First Quarter Budget for the current fiscal year and will be added to future years' budgets.

BACKGROUND: The Police Department is requesting City Council approval to purchase body-worn cameras for Police field personnel. The implementation of body-worn cameras has proven to be an effective tool in mitigating conflicting accounts of Police Officer's actions in the field and improves the quality of documentation for criminal investigations and routine field contacts. Other agencies in the region have acquired body-worn camera systems and report significant reductions in use of force and complaint incidents after deployment.

STAFF MEMBER PRESENTING: Eric V. Hopley, Chief of Police

Prepared by: Darryl Polk
Department: Police

City Manager
Approval: 

Submitted to Council/O.H.A. 09/16/2014

Approved: _____

Continued to: _____

Denied: _____

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Over the past twelve months the Police Department has evaluated different camera systems that have come to market and recommends the current technology (Axon Flex) offered by TASER, Inc. The Police Department also performed a 30-day pilot program to evaluate this technology. The equipment will utilize TASER's Evidence.com data storage and management feature, which protects the integrity of video files captured using body-worn cameras, provides security and tracking of file viewing, and integrates with a proposed County-wide initiative under the San Bernardino County District Attorney's Office.

CITY OF ONTARIO

Agenda Report
September 16, 2014

SECTION:
PUBLIC HEARINGS

SUBJECT: RESOLUTIONS OF NECESSITY FOR THE ACQUISITION OF PERMANENT ROAD EASEMENT AND TEMPORARY CONSTRUCTION EASEMENT INTERESTS IN PORTIONS OF REAL PROPERTY LOCATED ON OR NEAR EDISON AVENUE BETWEEN ARCHIBALD AND HAVEN AVENUES

RECOMMENDATION: That the City Council adopt Resolutions of Necessity for the purposes of acquiring permanent road easement and temporary construction easement (TCE) interests in portions of real property located on or near Edison Avenue and more particularly described as Assessor Parcel Nos. 0218-201-19, 0218-201-26 and 0218-201-27, by eminent domain for the widening of Edison Avenue, between Archibald Avenue and Haven Avenue.

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)
Ensure the Development of a Well Planned, Balanced, and Self-Sustaining Community in the New Model Colony

FISCAL IMPACT: The authorized amount for the easement interests is \$226,769. The easement acquisition cost is budgeted in the Development Impact Fee (DIF) program.

BACKGROUND: The Archibald Avenue and Edison Avenue Road Widening Project will extend from Chino Avenue to the southerly city limits and from the Cucamonga Creek Channel to Milliken Avenue. The project has already started and is expected to be completed in mid-2015.

The City obtained appraisals for the affected properties from Riggs & Riggs, Inc. and made offers of just compensation to the property owners pursuant to California Government Code section 7267.2. The City did not retain a consulting firm to assist with acquisitions or relocations, because no residences or businesses will be relocated or otherwise affected. Preliminary title reports were ordered to determine the identities of the record owners. Following standard public records and due diligence searches for ownership information, a notice of this public hearing was mailed to the property owners.

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. 09/16/2014

Approved: _____

Continued to: _____

Denied: _____

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DESCRIPTION OF PROPERTY TO BE ACQUIRED: The properties affected by the proposed acquisition are as follows:

- (1) 10076 Edison Avenue, Ontario, California (APN 0218-201-19). This property is owned by Jong's Ontario, LLC. The proposed acquisition of this property includes the acquisition of a permanent road easement (Exhibit 1A); and
- (2) 9928 Edison Avenue, Ontario, California (APNs 0218-201-26 and 0218-201-27). This property is owned by James Michael Jongsma, Trustee, Linda Lee Jongsma, Trustee and others. The proposed acquisition of this property includes the acquisition of a permanent road easement and TCE interests (Exhibit 2A).

All affected parcels remain within the city limits.

HEARINGS AND REQUIRED FINDINGS: The recommended actions of the City Council pertain to the acquisition of permanent road easement and TCE interests in portions of real property from the property owners listed below:

Assessor Parcel No. 0218-201-19

Jong's Ontario, LLC, a California limited liability company

Assessor Parcel Nos. 0218-201-26 and 0218-201-27

James Michael Jongsma and Linda Lee Jongsma, Trustees of the James and Linda Jongsma Family Trust dated March 22, 2010; William Jongsma, Trustee of the William J. Jongsma Family Trust dated September 16, 1999 (Restated); and Christopher V. Jongsma and Lisa Jongsma, as Trustees of the Christopher and Lisa Jongsma Family Trust, dated October 9, 2013

California eminent domain law provides that a public entity may not commence an eminent domain proceeding until its governing body has adopted a Resolution of Necessity, which resolution may only be adopted after the governing body has given each party with an interest in the affected property or their representatives a reasonable opportunity to appear and be heard on the following matters:

- (1) The public interest and necessity require the proposed project.
- (2) The project is planned or located in the manner that will be most compatible with the greatest public good and the least private injury.
- (3) The real property to be acquired is necessary for the project.
- (4) The offer of just compensation has been made to the property owner.

All notices of the public hearing were mailed on or before August 29, 2014, by first class mail to the property owners in accordance with Section 1245.235 of the California Code of Civil Procedure.

The above four required findings are addressed as follows:

(1) The Public Interest and Necessity Require the Proposed Project

The project will expand Edison Avenue from one lane in each direction, with no median lane, to two lanes in each direction with a center raised and landscaped median lane. Access to the adjacent private property will be maintained at all times during construction. The existing Edison Avenue will be lowered 2' to 6', but sloped driveways will be constructed to provide access at existing driveway areas to adjacent private property, at a grade not to exceed 12% (maximum city standards). Traffic will move easier through the area, which will eliminate delays in general travel times and will enhance safety access to businesses and residents in the area.

(2) The Project is Planned or Located in a Manner that will be Most Compatible with the Greatest Public Good and the Least Private Injury

The project will expand Edison Avenue from one lane in each direction, with no median lane, to two lanes in each direction with a center raised and landscaped median lane. The project provides a superior roadway level of service and traffic circulation by eliminating stop-and-go traffic through the area as compared to other alternatives. This is the lowest cost alternative with the shortest construction time, thus significantly reducing the short term impacts and detours to commercial businesses and residents in the area.

(3) The Real Property to be Acquired is Necessary for the Project

The properties described in the exhibits attached to the Resolutions of Necessity are portions of APNs 0218-201-19; 0218-201-26 and 0218-201-27 (all located in San Bernardino County), and are necessary for the project. The right-of-way is necessary to widen Edison Avenue between Archibald Avenue and Haven Avenue, in Ontario, California.

(4) The Offer of Just Compensation Has Been Made to the Property Owner

Appraisals were prepared by Riggs & Riggs, Inc. to establish the fair market value of the real property the City is seeking to acquire. Offers of just compensation were made to the property owners to purchase the permanent road easement and temporary construction easement interests as established by the approved appraisal and as required by Section 7267.2 of the California Government Code. Although a negotiated settlement may still be possible for the real properties cited above, it would be appropriate to commence the procedures to acquire the property through eminent domain, to ensure that the City has possession of the real property, which is necessary in order for the City to begin construction of the project.

ENVIRONMENTAL ANALYSIS: Compliance with the California Environmental Quality Act (CEQA) has been satisfied by the City's filing of Notice of Determination, Project Title/File No. PGPA 06-001, filed with the County of San Bernardino on January 28, 2010.

RESOLUTION NO. _____

A RESOLUTION OF NECESSITY OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, FOR THE ACQUISITION BY EMINENT DOMAIN OF A PERMANENT ROAD EASEMENT INTEREST IN A PORTION OF REAL PROPERTY LOCATED ON OR NEAR EDISON AVENUE AND MORE PARTICULARLY DESCRIBED AS ASSESSOR PARCEL NO. 0218-201-19, FOR THE WIDENING OF EDISON AVENUE, BETWEEN ARCHIBALD AVENUE AND HAVEN AVENUE, IN THE CITY OF ONTARIO, CALIFORNIA.

WHEREAS, the City of Ontario (the "City") proposes to acquire, by eminent domain, a permanent road easement interest in a portion of real property located on or near Edison Avenue, and more particularly described as Assessor Parcel No. 0218-201-19, for the widening of Edison Avenue, between Archibald Avenue and Haven Avenue, in the City of Ontario, California, pursuant to the authority granted to it be by Section 37350.5 of the California Government Code; and

WHEREAS, pursuant to Section 1245.235 of the California Code of Civil Procedure, the City scheduled a public hearing for Tuesday, September 16, 2014, at 6:30 p.m. at the Ontario City Hall, Council Chambers, 303 East "B" Street, Ontario, California, and gave to each person whose property is to be acquired and whose name and address appeared on the last equalized county assessment roll, notice and a reasonable opportunity to appear at said hearing and be heard on the matters referred to in Section 1240.030 of the California Code of Civil Procedure; and

WHEREAS, said hearing has been held by the City and each person whose property is to be acquired by eminent domain was afforded an opportunity to be heard on said matters; and

WHEREAS, the City may now adopt a Resolution of Necessity pursuant to Section 1240.040 of the California Code of Civil Procedure.

NOW, THEREFORE, THE CITY DOES HEREBY RESOLVE AND DECLARE AS FOLLOWS:

SECTION 1. Compliance with California Code of Civil Procedure and California Environmental Quality Act. There has been compliance by the City with the requirements of Section 1245.235 of the California Code of Civil Procedure and the California Environmental Quality Act.

SECTION 2. Public Use. The public use for which the real property interest is to be acquired is for public right-of-way purposes and the proposed street widening of Edison Avenue between Archibald Avenue and Haven Avenue, in Ontario, California. Section 37350.5 of the California Government Code authorizes the City to acquire by eminent domain real property necessary for such purposes.

SECTION 3. Description of Property. Attached and marked as Exhibit 1A is the legal description and depiction of the real property to be acquired by the City, which describes the general location and extent of the property to be acquired with sufficient detail for reasonable identification.

SECTION 4. Findings. The City hereby finds and determines each of the following:

- (a) The public interest and necessity require the proposed project;
- (b) The proposed project is planned or located in the manner that will be most compatible with the greatest public good and least private injury;
- (c) The real property described in Exhibit 1A are necessary for the proposed project;
- (d) The offer required by Section 7267.2 of the California Government Code was made.

SECTION 5. Use Not Unreasonably Interfering with Existing Public Use: Some or all of the real property to be acquired is subject to easements and rights-of-way appropriated to existing public uses. The legal descriptions of these easements and rights-of-way are on file with the City and describe the general location and extent of the easements and rights-of-way with sufficient detail for reasonable identification. In the event the herein described use or uses will not unreasonably interfere with or impair the continuance of the public use as it now exists or may reasonably be expected to exist in the future, counsel for the City is authorized to acquire the real property subject to such existing public use(s) pursuant to Section 1240.510 of the California Code of Civil Procedure.

SECTION 6. More Necessary Public Use. Some or all of the real property to be acquired is subject to easements and rights-of-way appropriated to existing public uses. To the extent that the herein described use or uses will unreasonably interfere with or impair the continuance of the public use as it now exists or may reasonably be expected to exist in the future, the City finds and determines that the herein described use or uses are more necessary than said existing public use. Counsel for the City is authorized to acquire the real property appropriated to such existing public use(s) pursuant to Section 1240.610 of the California Code of Civil Procedure. Staff is further authorized to make such improvements to the real property being acquired that it determines is reasonably necessary to mitigate any adverse impact upon the existing public use.

SECTION 7. Further Activities. Counsel for the City is hereby authorized to file legal proceedings necessary to acquire the hereinabove described real property in the name of and on behalf of the City by eminent domain, and counsel is authorized to institute and prosecute such legal proceedings as may be required in connection

therewith. Legal counsel is further authorized to take such steps as may be authorized and required by law, and to make such security deposits as may be required by order of court, to permit the City to take possession of and use said real property at the earliest possible time. Counsel is further authorized to correct any errors or to make or agree to non-material changes in the legal description of the real property that are deemed necessary for the conduct of the condemnation action or other proceedings or transaction required to acquire the subject real property. Counsel is further authorized to reduce or modify the extent of the interests or property to be acquired so as to reduce the compensation payable in the action where such change would not substantially impair the construction and operation for the project for which the real property is being acquired.

SECTION 8. Effective Date. This Resolution shall take effect upon adoption.

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

PASSED, APPROVED, AND ADOPTED this 16th day of September 2014.

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. 2014- was duly passed and adopted by the City Council of the City of Ontario at their regular meeting held September 16, 2014 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. 2014- duly passed and adopted by the Ontario City Council at their regular meeting held September 16, 2014.

MARY E. WIRTES, MMC, CITY CLERK

(SEAL)

EXHIBIT A

EASEMENT DEDICATION FOR ROAD AND PUBLIC UTILITY PURPOSES

LEGAL DESCRIPTION

A.P.N. 0218-201-19

The land referred to in this description is situated in the City of Ontario, State of California, County of San Bernardino, and is described as follows:

BEGINNING AT THE CENTER OF SECTION 14, TOWNSHIP 2 SOUTH, RANGE 7 WEST, SAN BERNARDINO BASE AND MERIDIAN, AS SHOWN ON RECORD OF SURVEY, FILED IN BOOK 139, PAGES 66 THROUGH 70 OF RECORD OF SURVEYS; THENCE SOUTH 89°55'55" WEST ALONG THE SOUTHERLY LINE OF THE NORTHWEST ONE-QUARTER OF SAID SECTION 14, SAID LINE ALSO BEING THE CENTERLINE OF EDISON AVENUE, 330.66 FEET TO A POINT ON THE WESTERLY LINE OF THE EAST ONE-HALF OF THE EAST ONE-HALF OF THE SOUTHEAST ONE-QUARTER OF THE NORTHWEST ONE-QUARTER OF SAID SECTION 14; THENCE NORTH 00°08'21" WEST, ALONG SAID WESTERLY LINE, 30.00 FEET TO A POINT ON A LINE PARALLEL WITH AND 30.00 FEET NORTHERLY OF SAID CENTERLINE OF EDISON AVENUE AND THE **TRUE POINT OF BEGINNING**; THENCE CONTINUING ALONG SAID WESTERLY LINE, NORTH 00°08'21" WEST, 20.00 FEET TO A POINT ON A LINE PARALLEL WITH AND 50.00 FEET NORTHERLY OF SAID CENTERLINE; THENCE NORTH 89°55'55" EAST ALONG SAID PARALLEL LINE, 83.47 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE NORTHERLY AND HAVING A RADIUS OF 1650.00 FEET; THENCE ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 8°36'52" AN ARC DISTANCE OF 248.08 FEET TO A POINT ON THE EASTERLY LINE OF THE NORTHWEST ONE-QUARTER OF SAID SECTION 14; THENCE SOUTH 00°06'31" WEST ALONG SAID EASTERLY LINE, 38.61 FEET TO A POINT ON A LINE PARALLEL WITH AND 30.00 FEET NORTHERLY OF SAID CENTERLINE; THENCE SOUTH 89°55'55" WEST ALONG SAID PARALLEL LINE, 330.65 FEET TO THE **TRUE POINT OF BEGINNING**.

CONTAINING 8,143 SQUARE FEET (0.19 ACRES) MORE OR LESS.

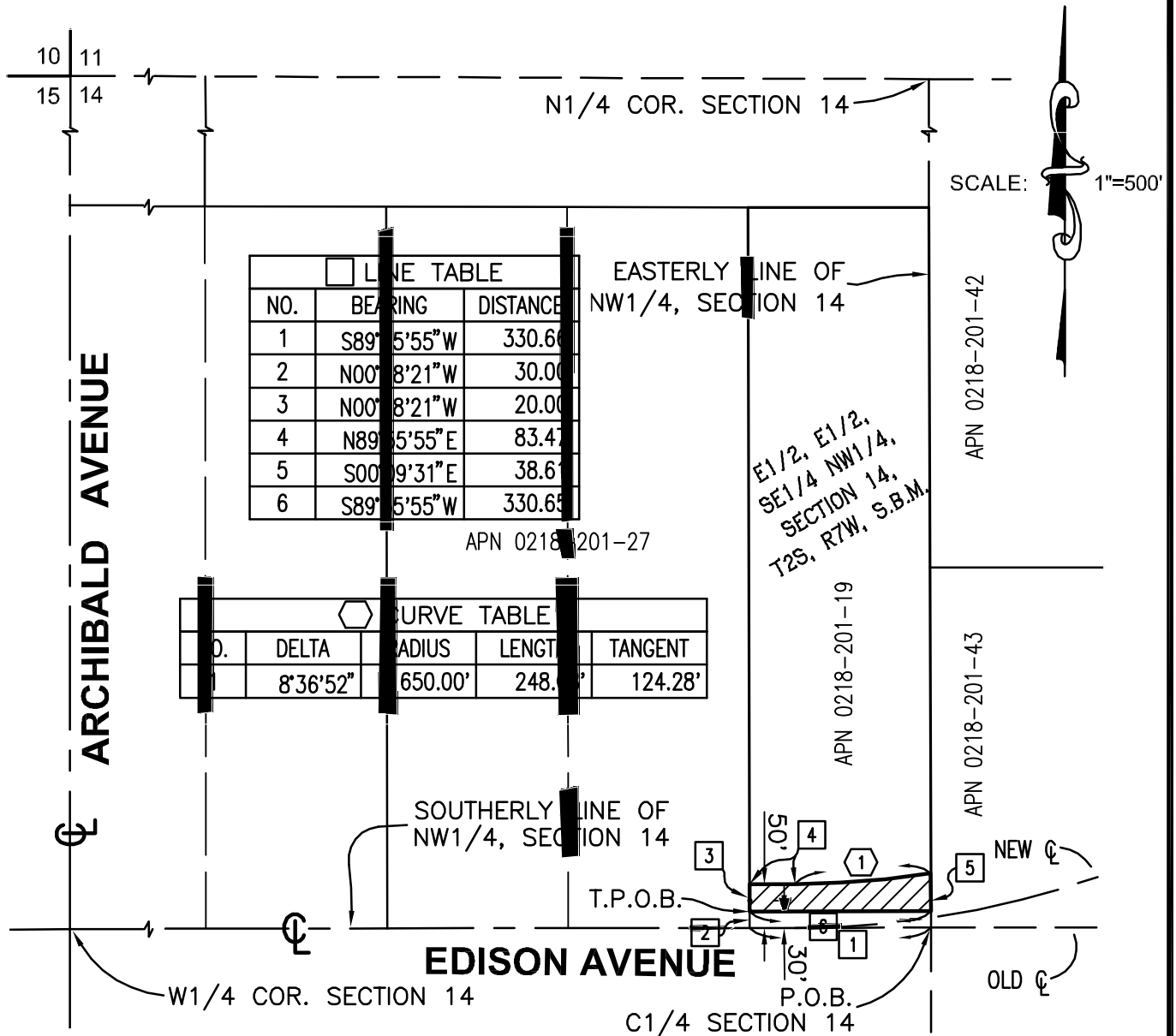
SEE EXHIBIT B ATTACHED HERETO AND BY THIS REFERENCE MADE A PART HEREOF.

CARLA E. BERARD, P.L.S.

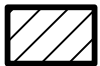
DATE

EXHIBIT B

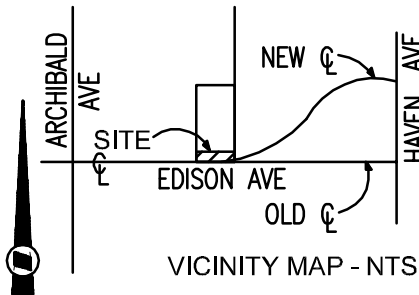
EASEMENT DEDICATION FOR PUBLIC STREET AND PUBLIC UTILITY PURPOSES



LEGEND



= EASEMENT AREA TO BE DEDICATED TO THE CITY OF ONTARIO FOR PUBLIC STREET AND PUBLIC UTILITY PURPOSES CONTAINING 0.19 ACRES (8,143 SQ. FT.) MORE OR LESS



RESOLUTION NO. _____

A RESOLUTION OF NECESSITY OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, FOR THE ACQUISITION BY EMINENT DOMAIN OF PERMANENT ROAD EASEMENT AND TEMPORARY CONSTRUCTION EASEMENT INTERESTS IN PORTIONS OF REAL PROPERTY LOCATED ON OR NEAR EDISON AVENUE AND MORE PARTICULARLY DESCRIBED AS ASSESSOR PARCEL NOS. 0218-201-26 AND 0218-201-27, FOR THE WIDENING OF EDISON AVENUE, BETWEEN ARCHIBALD AVENUE AND HAVEN AVENUE, IN THE CITY OF ONTARIO, CALIFORNIA.

WHEREAS, the City of Ontario (the "City") proposes to acquire permanent road easement and temporary construction easement interests in portions of real property located on or near Edison Avenue, and more particularly described as Assessor Parcel Nos. 0218-201-26 and 0218-201-27, for the widening of Edison Avenue, between Archibald Avenue and Haven Avenue, in the City of Ontario, California, pursuant to the authority granted to it be by Section 37350.5 of the California Government Code; and

WHEREAS, pursuant to Section 1245.235 of the California Code of Civil Procedure, the City scheduled a public hearing for Tuesday, September 16, 2014, at 6:30 p.m. at the Ontario City Hall, Council Chambers, 303 East "B" Street, Ontario, California, and gave to each person whose property is to be acquired and whose name and address appeared on the last equalized county assessment roll, notice and a reasonable opportunity to appear at said hearing and be heard on the matters referred to in section 1240.030 of the California Code of Civil Procedure; and

WHEREAS, said hearing has been held by the City and each person whose property is to be acquired by eminent domain was afforded an opportunity to be heard on said matters; and

WHEREAS, the City may now adopt a Resolution of Necessity pursuant to Section 1240.040 of the California Code of Civil Procedure.

NOW, THEREFORE, THE CITY DOES HEREBY RESOLVE AND DECLARE AS FOLLOWS:

SECTION 1. Compliance with California Code of Civil Procedure and California Environmental Quality Act. There has been compliance by the City with the requirements of Section 1245.235 of the California Code of Civil Procedure and the California Environmental Quality Act.

SECTION 2. Public Use. The public use for which the real property interests are to be acquired is for public right-of-way purposes and the proposed street widening of Edison Avenue between Archibald Avenue and Haven Avenue, in Ontario, California. Section 37350.5 of the California Government Code authorizes the City to acquire by eminent domain real property necessary for such purposes.

SECTION 3. Description of Property. Attached and marked as Exhibit 2A is the legal description and depiction of the real property to be acquired by the City, which describes the general location and extent of the property to be acquired with sufficient detail for reasonable identification.

SECTION 4. Findings. The City hereby finds and determines each of the following:

- (a) The public interest and necessity require the proposed project;
- (b) The proposed project is planned or located in the manner that will be most compatible with the greatest public good and least private injury;
- (c) The real property described in Exhibit 2A are necessary for the proposed project;
- (d) The offer required by Section 7267.2 of the California Government Code was made.

SECTION 5. Use Not Unreasonably Interfering with Existing Public Use: Some or all of the real property to be acquired is subject to easements and rights-of-way appropriated to existing public uses. The legal descriptions of these easements and rights-of-way are on file with the City and describe the general location and extent of the easements and rights-of-way with sufficient detail for reasonable identification. In the event the herein described use or uses will not unreasonably interfere with or impair the continuance of the public use as it now exists or may reasonably be expected to exist in the future, counsel for the City is authorized to acquire the real property subject to such existing public use(s) pursuant to Section 1240.510 of the California Code of Civil Procedure.

SECTION 6. More Necessary Public Use. Some or all of the real property to be acquired is subject to easements and rights-of-way appropriated to existing public uses. To the extent that the herein described use or uses will unreasonably interfere with or impair the continuance of the public use as it now exists or may reasonably be expected to exist in the future, the City finds and determines that the herein described use or uses are more necessary than said existing public use. Counsel for the City is authorized to acquire the real property appropriated to such existing public use(s) pursuant to Section 1240.610 of the California Code of Civil Procedure. Staff is further authorized to make such improvements to the real property being acquired that it determines is reasonably necessary to mitigate any adverse impact upon the existing public use.

SECTION 7. Further Activities. Counsel for the City is hereby authorized to file legal proceedings necessary to acquire the hereinabove described real property in the name of and on behalf of the City by eminent domain, and counsel is authorized to institute and prosecute such legal proceedings as may be required in connection therewith. Legal counsel is further authorized to take such steps as may be authorized

and required by law, and to make such security deposits as may be required by order of court, to permit the City to take possession of and use said real property at the earliest possible time. Counsel is further authorized to correct any errors or to make or agree to non-material changes in the legal description of the real property that are deemed necessary for the conduct of the condemnation action or other proceedings or transaction required to acquire the subject real property. Counsel is further authorized to reduce or modify the extent of the interests or property to be acquired so as to reduce the compensation payable in the action where such change would not substantially impair the construction and operation for the project for which the real property is being acquired.

SECTION 8. Effective Date. This Resolution shall take effect upon adoption.

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

PASSED, APPROVED, AND ADOPTED this 16th day of September 2014.

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. 2014- was duly passed and adopted by the City Council of the City of Ontario at their regular meeting held September 16, 2014 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. 2014- duly passed and adopted by the Ontario City Council at their regular meeting held September 16, 2014.

MARY E. WIRTES, MMC, CITY CLERK

(SEAL)

EXHIBIT A

EASEMENT DEDICATION FOR PUBLIC STREET AND PUBLIC UTILITY PURPOSES

LEGAL DESCRIPTION

A.P.N. 0218-201-26 and 27

The land referred to in this description is situated in the City of Ontario, State of California, County of San Bernardino, and is described as follows:

EASEMENT 1 (APN 0218-201-26)

THE SOUTHERLY 20.00 FEET OF THE WEST 1/2 OF THE FOLLOWING DESCRIBED PROPERTY:

THE SOUTH 1/2 OF THE NORTHWEST 1/4 OF SECTION 14, TOWNSHIP 2 SOUTH, RANGE 7 WEST, SAN BERNARDINO BASE AND MERIDIAN, IN THE COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, ACCORDING TO THE OFFICIAL PLAT THEREOF.

EXCEPT FROM SAID SOUTH 1/2, THE WEST 30 ACRES THEREOF MEASURED TO THE CENTER OF ADJOINING STREETS.

ALSO EXCEPT FROM SAID SOUTH 1/2; THE EAST 1/2 OF THE EAST 1/2 OF THE SOUTHEAST 1/4 OF SAID NORTHWEST 1/4 OF SECTION 14, TOWNSHIP 2 SOUTH, RANGE 7 WEST, SAN BERNARDINO BASE AND MERIDIAN, ACCORDING TO THE OFFICIAL PLAT THEREOF.

ALSO EXCEPT FROM SAID SOUTH 1/2, THE SOUTH 30.00 FEET FOR ROAD PURPOSES.

EASEMENT 2 (APN 0218-201-27)

THE SOUTHERLY 20.00 FEET OF THE EAST 1/2 OF THE FOLLOWING DESCRIBED PROPERTY:

THE SOUTH 1/2 OF THE NORTHWEST 1/4 OF SECTION 14, TOWNSHIP 2 SOUTH, RANGE 7 WEST, SAN BERNARDINO BASE AND MERIDIAN, IN THE COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, ACCORDING TO THE OFFICIAL PLAT THEREOF.

EXCEPT FROM SAID SOUTH 1/2, THE WEST 30 ACRES THEREOF MEASURED TO THE CENTER OF ADJOINING STREETS.

ALSO EXCEPT FROM SAID SOUTH 1/2; THE EAST 1/2 OF THE EAST 1/2 OF THE SOUTHEAST 1/4 OF SAID NORTHWEST 1/4 OF SECTION 14, TOWNSHIP 2 SOUTH, RANGE 7 WEST, SAN BERNARDINO BASE AND MERIDIAN, ACCORDING TO THE OFFICIAL PLAT THEREOF.

ALSO EXCEPT FROM SAID SOUTH 1/2, THE SOUTH 30.00 FEET FOR ROAD PURPOSES.

CONTAINING 26,491 SQUARE FEET (0.61 ACRES) MORE OR LESS.

SEE EXHIBIT B ATTACHED HERETO AND BY THIS REFERENCE MADE A PART HEREOF.



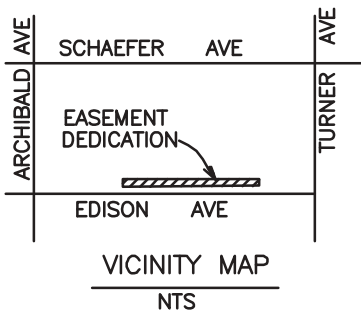
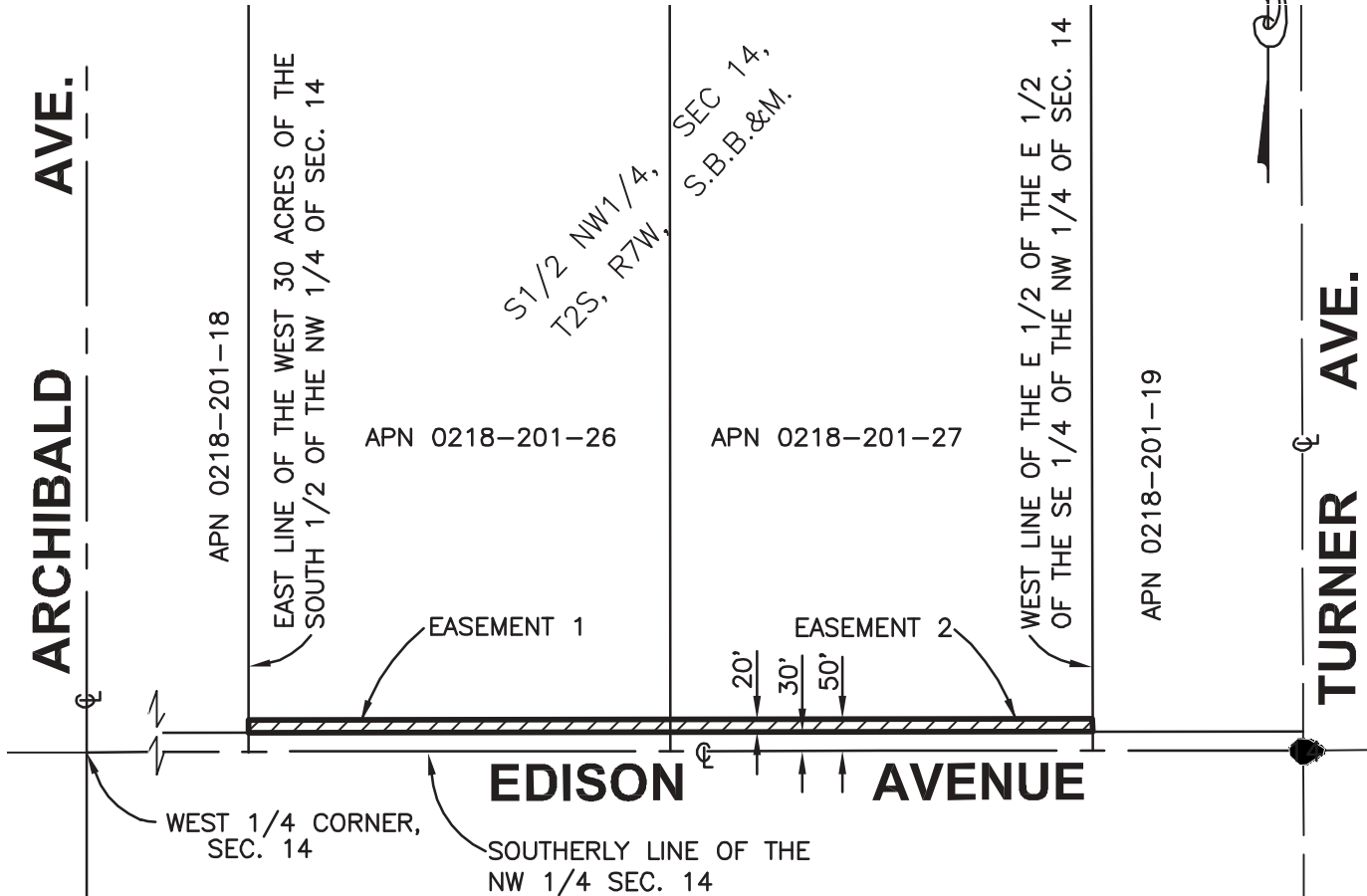
CARLA E. BERARD, P.L.S.

DATE

EXHIBIT B

EASEMENT DEDICATION FOR PUBLIC STREET AND PUBLIC UTILITY PURPOSES

SCALE: 1"=300'



LEGEND



= EASEMENT AREA TO BE GRANTED TO THE CITY OF ONTARIO FOR PUBLIC STREET AND PUBLIC UTILITY PURPOSES CONTAINING 0.61 ACRES (26,491 SQ. FT.)

LDKING
Engineers/Planners/Surveyors

2151 Convention Center Way
Suite 100 B
Ontario, California 91764-4464
Phone: (909) 937-0200

**SKETCH TO ACCOMPANY
LEGAL DESCRIPTION**

EXHIBIT A

TEMPORARY CONSTRUCTION EASEMENT, T.C.E.

LEGAL DESCRIPTION

A.P.N. 0218-201-26 and 27

The land referred to in this description is situated in the City of Ontario, State of California, County of San Bernardino, and is described as follows:

T.C.E. 1 (APN 0218-201-26)

THE NORTHERLY 100.00 FEET OF THE SOUTHERLY 120.00 FEET OF THE WEST 1/2 OF THE FOLLOWING DESCRIBED PROPERTY:

THE SOUTH 1/2 OF THE NORTHWEST 1/4 OF SECTION 14, TOWNSHIP 2 SOUTH, RANGE 7 WEST, SAN BERNARDINO BASE AND MERIDIAN, IN THE COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, ACCORDING TO THE OFFICIAL PLAT THEREOF.

EXCEPT FROM SAID SOUTH 1/2, THE WEST 30 ACRES THEREOF MEASURED TO THE CENTER OF ADJOINING STREETS.

ALSO EXCEPT FROM SAID SOUTH 1/2; THE EAST 1/2 OF THE EAST 1/2 OF THE SOUTHEAST 1/4 OF SAID NORTHWEST 1/4 OF SECTION 14, TOWNSHIP 2 SOUTH, RANGE 7 WEST, SAN BERNARDINO BASE AND MERIDIAN, ACCORDING TO THE OFFICIAL PLAT THEREOF.

ALSO EXCEPT FROM SAID SOUTH 1/2, THE SOUTH 30.00 FEET FOR ROAD PURPOSES.

T.C.E. 2 (APN 0218-201-27)

THE NORTHERLY 500.00 FEET OF THE SOUTHERLY 520.00 FEET OF THE EAST 1/2 OF THE FOLLOWING DESCRIBED PROPERTY:

THE SOUTH 1/2 OF THE NORTHWEST 1/4 OF SECTION 14, TOWNSHIP 2 SOUTH, RANGE 7 WEST, SAN BERNARDINO BASE AND MERIDIAN, IN THE COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, ACCORDING TO THE OFFICIAL PLAT THEREOF.

EXCEPT FROM SAID SOUTH 1/2, THE WEST 30 ACRES THEREOF MEASURED TO THE CENTER OF ADJOINING STREETS.

ALSO EXCEPT FROM SAID SOUTH 1/2; THE EAST 1/2 OF THE EAST 1/2 OF THE SOUTHEAST 1/4 OF SAID NORTHWEST 1/4 OF SECTION 14, TOWNSHIP 2 SOUTH, RANGE 7 WEST, SAN BERNARDINO BASE AND MERIDIAN, ACCORDING TO THE OFFICIAL PLAT THEREOF.

ALSO EXCEPT FROM SAID SOUTH 1/2, THE SOUTH 30.00 FEET FOR ROAD PURPOSES.

CONTAINING 397,050 SQUARE FEET (9.12 ACRES) MORE OR LESS.

SEE EXHIBIT B ATTACHED HERETO AND BY THIS REFERENCE MADE A PART HEREOF.



A handwritten signature in cursive script that reads "Carla E. Berard".

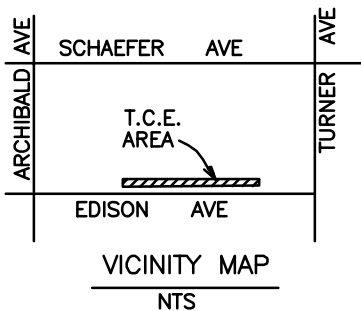
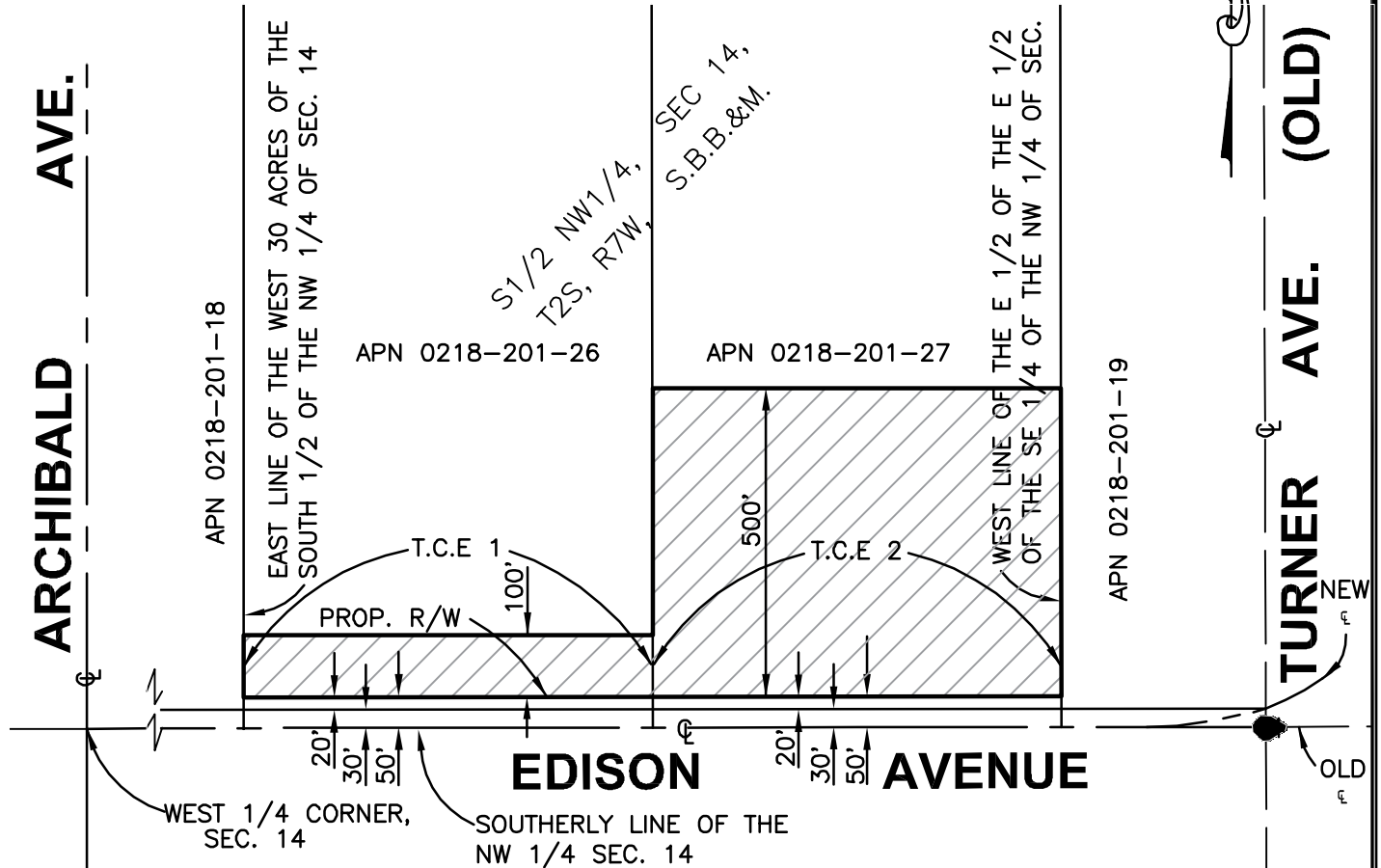
CARLA E. BERARD, P.L.S.

DATE

EXHIBIT B

TEMPORARY CONSTRUCTION EASEMENT

SCALE: 1"=300'



LEGEND

- = TEMPORARY CONSTRUCTION EASEMENT AREA TO BE GRANTED TO THE CITY OF ONTARIO CONTAINING 9.12 ACRES (397,050 SQ. FT.) MORE OR LESS

LDKING

Engineers/Planners/Surveyors

10390 Commerce Center Drive
Suite C-250
Rancho Cucamonga, California 91730
Phone: (909) 945-0526

**SKETCH TO ACCOMPANY
LEGAL DESCRIPTION**

CITY OF ONTARIO

Agenda Report
September 16, 2014

SECTION: PUBLIC HEARINGS

SUBJECT: A PUBLIC HEARING TO RECEIVE TESTIMONY AND ADOPT THE CONSOLIDATED ANNUAL PERFORMANCE AND EVALUATION REPORT (CAPER) FOR THE 2013-14 FISCAL YEAR

RECOMMENDATION: That the City Council:

- (A) Hold a public hearing to receive testimony on the draft Consolidated Annual Performance and Evaluation Report (CAPER) for the 2013-14 Fiscal Year (on file in the Records Management Department);
- (B) Direct staff to prepare and transmit to the U.S. Department of Housing and Urban Development (HUD) the final CAPER, which will address all public comments received on the draft CAPER; and
- (C) Authorize the City Manager to execute any and all documents necessary and/or desirable to transmit CAPER to HUD.

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

FISCAL IMPACT: None.

BACKGROUND: The CAPER is a HUD required report providing annual information about the City's utilization of HUD funds for local community development and housing projects. During Fiscal Year 2013-14, a combined total of over \$17.2 million of Federal and local funds were expended to implement approximately 39 housing and community development programs and projects. These activities were contained in the City's Fiscal Year 2013-14 One-Year Action Plan, approved on May 7, 2013. Federal funding sources in the CAPER include the following HUD programs: Community Development Grant (CDBG), HOME Investment Partnership (HOME) Program, and

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

Prepared by: Katryna Gonzalez
Department: Housing and Municipal Services

City Manager
Approval: 

Submitted to Council/O.H.A. 09/16/2014
Approved: _____
Continued to: _____
Denied: _____

11

Emergency Solutions Grant (ESG) Program. Local funding sources include Ontario Housing Authority funds, Housing Asset funds, and Quiet Home Program funds.

Listed below are key housing and community development projects discussed in the CAPER:

- The City expended approximately \$1.9 million to implement five infrastructure and community facility activities and two public service activities under the Community Development Strategy. The major projects within this strategy include, but are not limited to the following: Energy Efficiency Lighting, Pavement Management Rehabilitation Program, COPS Program, and YMCA Child Care Subsidies.
- More than \$9 million was expended to implement 19 housing programs within Ontario as part of the Housing Strategy. The major projects within this strategy include, but are not limited to the following: Vesta and Hollowell Apartments Rehabilitation Projects, Guadalupe Residence Apartments Rehabilitation Project, and Quiet Home Program.
- Over \$1.3 million was expended as part of the Homeless Strategy to implement seven activities. The major projects within this strategy include programs to provide public services for homeless individuals such as Assisi House and Aftercare Services Program, Mercy House Center Ontario, SOVA Hunger Program, Ontario Access Center, Services for Battered Women and Children, Foothill Family Shelter, and Project Gateway.

Attached is the Executive Summary of the Consolidated Annual Performance and Evaluation Report for FY 2013-14. The Executive Summary provides a summary of expenditures and accomplishments for all CDBG, HOME, and ESG funded activities undertaken to address strategies identified within the Five-Year Consolidated Plan and the One-Year Action Plan, adopted by City Council and May 7, 2013.

The Consolidated Annual Performance and Evaluation Report for FY 2013-14 has been available for public review from September 1, 2014 through September 16, 2014. To date, no comments have been received.

Subsequent to City Council approval of the CAPER, staff will submit the final report to HUD. The deadline to submit the CAPER to HUD is September 28, 2014 (90 days after the end of the fiscal year).

CITY OF ONTARIO

Consolidated Annual Performance and Evaluation Report

For the period of July 1, 2013 - June 30, 2014

EXECUTIVE SUMMARY

The Consolidated Annual Performance and Evaluation Report (CAPER) provides information to Ontario residents, elected officials, City staff, and the U.S. Department of Housing and Urban Development (HUD) about housing and community development needs, projects, and accomplishments. This report covers activities conducted during Fiscal Year 2013-14 which began July 1, 2013 and ended June 30, 2014. During this period, federal and local funds were used to implement a myriad of housing and community development programs and projects. Each activity supported one or more of the priorities originally presented in the City's five-year Consolidated Plan Document.

The following list highlights key housing and community development activities implemented during FY 2013-14:

- The City of Ontario expended more than \$17.2 million in federal and local funds to administer housing and community development programs.
- More than \$9 million was expended to implement 19 housing programs within Ontario as part of the Housing Strategy. The major projects within this strategy include, but are not limited to the following: Quiet Home Program, Guadalupe Residence Apartments Rehabilitation Project, and Vesta and Hollowell Apartments Rehabilitation Projects.
- The City expended approximately \$1.9 million to implement five infrastructure and community facility activities and two public service activities under the Community Development Strategy. The major projects within this strategy include, but are not limited to the following: Pavement Management Rehabilitation Program, Energy Efficiency Lighting, COPS Program, and YMCA Child Care Subsidies.
- Over \$1.3 million was expended as part of the Homeless Strategy to implement seven activities. The major projects within this strategy include, but are not limited to the following: Ontario Access Center, Mercy House Continuum of Care, Project Gateway, SOVA Hunger Program, Services for Battered Women and Children, and Foothill Family Shelter.

The tables on the following pages demonstrate the breakdown of funds received and expended within each identified strategy: Community (Capital) Development, Housing, Homeless, Special Populations, Fair Housing, and Public Housing.

FUNDING SOURCES

FUNDING SOURCE	ACTIVITIES FUNDED	ACTUAL RECEIVED AMOUNT FOR FY 2013-14
Community Development Block Grant (CDBG)	Infrastructure improvements, code enforcement, housing rehabilitation, and social services.	\$1,725,456
CDBG Program Income	Infrastructure improvements, code enforcement, housing rehabilitation, and social services.	\$146,264
HOME Investment Partnership (HOME)	Housing rehabilitation.	\$430,661
HOME Program Income	Housing rehabilitation.	\$65,762
Emergency Solutions Grant (ESG)	Essential support services and operating expenses for homeless facilities and programs.	\$179,648
Housing Asset Fund (HAF)	Home ownership assistance, housing acquisition and rehabilitation, and homeless services.	\$22,158,026 ¹
Ontario Housing Authority (OHA)	Housing acquisition, property rehabilitation and maintenance.	\$2,683,656
Neighborhood Stabilization Program 3 (NSP3)	Emergency assistance for the redevelopment of abandoned and foreclosed homes and residential properties.	\$1,872,853 ²
BEGIN Program Reuse Account	Program provides deferred-payment second mortgage loans to qualified buyers of new homes.	\$0
State of California CalHome Program	Program provides rehabilitation loans to abate code violations in the form of a deferred loan to qualified home owners within designated noise impacted areas.	\$1,000,000 ²
State of California CalHome Program	Program provides downpayment assistance to qualified buyers within eligible census tracts.	\$1,000,000 ²
TOTAL		\$31,262,326

¹ This funding is available pending resolution of current discussions with the Department of Finance related to the dissolution of redevelopment in California.

² Full amount of grant reflected. Actual funding not received during FY 2013-14.

HOUSING STRATEGY

Program/Project	Funding Source	Expenses	Annual Accomplishment
<i>Priority 1: Preserve existing rental and owner-occupied housing resources.</i>			
Ontario CARES (CARES Exterior Beautification Grants)	CDBG	\$0	This project is currently on hold due to the abolishment of redevelopment in California pending the identification of an alternative funding source for the project.
	HAF	\$0	
	Subtotal	\$0	
Quiet Home Program (formerly known as Part 150 Noise Compatibility Program)	FAA and LAWA	\$6,327,418	Completed sound insulation work on 118 homes, acquired 9 properties, and relocated 5 households.
CDBG Quiet Home Owner-Occupied Rehabilitation Grant Program	CDBG	\$0	No homeowners were assisted during FY 2013-14.
Community Improvement Team	CDBG	\$189,066	A total of 1,302 inspections were completed during the reporting period. 216 citations were given, 367 notices issued and 399 violations abated.
Low-Mod Assisted Housing Developments	N/A	N/A	Monitored 1,750 housing units.
Ideal Mobile Home Park	HAF	\$11,851	During FY 2013-14, all remaining households moved out of the park. The site is currently in the process of being prepared to serve as an office for the property management office for the properties operated as part of the City's Continuum of Care program.
CalHome Owner-Occupied Rehabilitation Loan Program	CDBG	\$0	During FY 2013-14, design work and bidding was completed for one homeowner for this program. The project is expected to be completed in the Fall/Winter of 2014.
	CalHome Funds	\$9,715	
	Subtotal	\$9,715	

Program/Project	Funding Source	Expenses	Annual Accomplishment
California Catalyst Community Projects	Other Funds	\$349,327	The California Department of Housing and Community Development awarded the City of Ontario's Downtown Core Catalyst Project (DCCP) as one of only thirteen communities within the State of California as a Catalyst Project. This project is designed to revitalize downtown Ontario through the implementation of several housing and community development projects. The State of California awarded the City \$500,000 as a Catalyst Community. Funds received from the State of California are being used in connection with the Emergency Operations Center. Renovation of the Emergency Operations Center was completed.
1165 West Hollowell Street	NSP3	\$72,353	Construction was completed in September 2013 and the units have been leased to qualified tenants.
	HOME	\$240,902	
	Subtotal	\$313,255	
1164 West Vesta Street	NSP3	\$35,634	Construction was completed in September 2013 and the units have been leased to qualified tenants.
	HOME	\$279,743	
	Subtotal	\$315,377	
Guadalupe Residence (412 North Parkside Avenue)	HOME	\$1,167,895	The property was sold to Mercy House Living Centers. A scope of work was completed for the rehabilitation portion of the project and bidding was completed. The contract was awarded and construction began in February 2014. Work is expected to be complete by September 2014.
TOTAL HOUSING PRIORITY #1		\$8,683,904	
<i>Priority 2: Increase affordable homeownership opportunities, particularly for low- and moderate-income persons.</i>			
Ontario OPEN House Program	HOME (ADDI)	\$0	No homebuyers were assisted in Ontario during FY 2013-14.

Program/Project	Funding Source	Expenses	Annual Accomplishment
HOME Downpayment Assistance Loan Program	HOME	\$0	No homebuyers were assisted in Ontario during FY 2013-14.
Extra Credit Teacher Home Purchase Program (CalHFA)	Bond	\$0	The Extra Credit Teach Program was suspended on 12/19/2008 and is still unavailable.
Home Buyer Assistance (County of San Bernardino Mortgage Revenue Bond Program)	Bond Financing	\$350,000	One Mortgage Credit Certificate (MCC) was issued for a home in Ontario during FY 2013-14.
Neighborhood Partnership Housing Services Programs	Private Financing	N/A	During FY 2013-14, NPHS provided homeownership services to 68 Ontario residents resulting in 21 prevented foreclosures and 12 first-time Ontario homebuyers. NPHS also provided two senior home repair grants to Ontario families.
Officer/Teacher/Fireman/Emergency Technician Next Door Program	HUD & FHA	\$0	No homebuyers were assisted in Ontario during FY 2013-14.
Police Residence Assistance Program	Ontario General Fund	\$2,000	This program has two existing loans. Pursuant to the terms of the loan agreement, \$1,000 is forgiven on an annual basis as long as the police officer remains compliant with the conditions of the loan.
Edenglen BEGIN Program	State of California BEGIN Funds	\$0	No loans were funded or paid off during FY 2013-14.

Program/Project	Funding Source	Expenses	Annual Accomplishment
In-Fill Housing Development	Ontario Housing Authority	\$33,478	The Ontario Housing Authority is maintaining this site pending future housing development.
• Mission Oakland Single-Family Housing Development	HAF	\$5,640	
	Subtotal	\$39,118	
CalHome Mortgage Assistance Program	CDBG	\$0	City staff continued to work with the State to finalize the guidelines, documents, and approvals for this program. City staff also approved NPBS for the administration of this program.
	CalHome Funds	\$0	
	Subtotal	\$0	
TOTAL HOUSING PRIORITY #2		\$391,118	
<i>Priority 3: Expand affordable rental housing opportunities, particularly for low-income persons.</i>			
Tenant Based Rental Assistance Program	HOME	\$0	Guidelines for the program were developed and an agreement was executed with Mercy House Living Centers to administer this program.
TOTAL HOUSING PRIORITY #3		\$0	
GRAND TOTAL – HOUSING STRATEGY		\$9,075,022	

HOMELESS STRATEGY

Program/Agency	Funding Source	Expenses	Accomplishments
<i>Priority 1: Preserve and improve the supply of supportive housing and public services for the homeless.</i>			
Foothill Family Shelter – First Steps Transitional Housing Program	ESG	\$6,122	A total of 33 unduplicated homeless persons were served.

Program/Agency	Funding Source	Expenses	Accomplishments
Mercy House Living Centers - Ontario Continuum of Care	CDBG ESG Subtotal	\$85,053 \$85,313 \$170,366	A total of 57 unduplicated homeless persons were served through the Assisi House and Aftercare Services Program. A total of 1,359 unduplicated homeless persons were served at the Ontario Access Center.
House of Ruth – Services for Battered Women and Children	ESG	\$12,600	A total of 128 unduplicated battered women and children were provided with services.
Inland Valley Council of Churches - SOVA Food Security Center	ESG	\$18,410	A total of 3,418 unduplicated persons were served.
Ontario Access Center (OAC)	CDBG	\$1,026,455	During FY 2013-14, the project was completed. The Ontario Access Center provides an outreach and intake center, shower and restroom facilities, laundry facilities, storage, and mail delivery services. The Center opened in January 2014.
Project Gateway (Shelter + Care Program)	HUD	\$128,789	10 households were housed using Shelter + Care vouchers.
GRAND TOTAL – HOMELESS STRATEGY		\$1,362,742	

SPECIAL NEEDS STRATEGY

Program/Agency	Funding Source	Expenses	Accomplishments
<i>Priority 1: Provide supportive services for special needs populations.</i>			
Inland Fair Housing and Mediation Board – Senior Services	OTHER	N/A	A total of 310 seniors were served. This project is part of the Fair Housing and Mediation Services Project.
GRAND TOTAL – SPECIAL NEEDS STRATEGY		N/A	

FAIR HOUSING STRATEGY

Program/Agency	Funding Source	Expenses	Accomplishments
<i>Priority 1: Continue to implement the Fair Housing Laws by providing funding to further fair housing.</i>			
Inland Fair Housing and Mediation Board – Fair Housing and Mediation Services	CDBG	\$32,200	A total of 170 persons were provided with fair housing services and 1,381 persons were provided with landlord/tenant mediation services.
GRAND TOTAL – FAIR HOUSING STRATEGY		\$32,200	

PUBLIC HOUSING STRATEGY

Program/Agency	Funding Source	Expenses	Accomplishments
<i>Priority 1: Continue to support ongoing efforts of the Housing Authority of the County of San Bernardino to maximize the use of Section 8 subsidies and other resources in the City.</i>			
Housing Authority of the County of San Bernardino (Housing Choice Voucher Program)	HUD	\$4,516,182	550 households assisted in Ontario.
Housing Authority of the County of San Bernardino (Family Self-Sufficiency)	HUD	N/A	8 Ontario residents served.
GRAND TOTAL – PUBLIC HOUSING STRATEGY		\$4,516,182	

COMMUNITY DEVELOPMENT STRATEGY

Program/Project	Funding Source	Expenses	Accomplishments
<i>Priority 1: Provide for needed infrastructure improvements in lower and moderate-income neighborhoods.</i>			
Begonia Avenue Pavement Rehabilitation and Street Lighting	CDBG	\$26,799	Contract was awarded and work completed in February 2014. Project provided energy-efficient street lighting to the Begonia Avenue neighborhood and rehabilitated the existing street by installing a Rubberized Polymer-Modified Slurry Seal.
Pavement Management Rehabilitation Program and Alley Pavement Management Program.	CDBG	\$270,268	Thirty-one residential streets which total over 1.2 million square feet of asphalt roadway are to be rehabilitated with localized asphalt concrete pavement skin-patching and the application of Rubberized Polymer-Modified Slurry Seal (RPMSS). Twenty-one alley segments which total of 221,000 square feet of asphalt roadway are to be rehabilitation with localized asphalt concrete pavement skin-patching and the application of RPMSS. The project began in June 2014 and is expected be completed in September 2014.
	Gas Tax	\$598,220	
	Measure I	\$606,083	
Subtotal		\$1,474,571	
Wheelchair Ramp Installation	CDBG	\$100,000	A total of 58 wheelchair ramps, adjoining sidewalks, and curbs were constructed.
TOTAL COMMUNITY DEVELOPMENT PRIORITY #1		\$1,601,370	
<i>Priority 2: Provide for new community facilities, neighborhood enhancement activities, and improve the quality of existing community facilities to serve lower- and moderate-income neighborhoods.</i>			
Energy Efficient Street Lighting	CDBG	\$158,693	Project was completed in November 2013. A total of 355 LED street lights were installed.
TOTAL COMMUNITY DEVELOPMENT PRIORITY #2		\$158,693	

Program/Project	Funding Source	Expenses	Accomplishments
<i>Priority 3: Provide needed community services to serve lower- and moderate-income residents.</i>			
COPS Program	CDBG	\$151,765	During FY 2013-14, the COPS Division addressed many community concerns including but not limited to: graffiti, the transients/homeless population, panhandlers, prostitution, metal theft, theft of utilities, illegal dumping, truancy, curfew violations, and violations of various city building and habitation codes.
Ontario-Montclair YMCA - Child Care Subsidies Program	CDBG	\$22,000	Ninety-three unduplicated youths were served.
TOTAL COMMUNITY DEVELOPMENT PRIORITY #3		\$173,765	
GRAND TOTAL – COMMUNITY DEVELOPMENT STRATEGY		\$1,933,828	

ADMINISTRATIVE COSTS

Program/Project	Funding Source	Expenses	Accomplishments
CDBG Administration	CDBG	\$312,890	Administration of the CDBG Program.
HOME Administration	HOME	\$43,053	Administration of HOME Program.
NSP Administration	NSP	\$2,475	Administration of NSP Program.
ESG Administration	ESG	\$3,887	Administration of ESG Program.
GRAND TOTAL – Administrative Costs		\$362,305	
GRAND TOTAL – All Projects & Administration		\$17,282,279	