

**CITY OF ONTARIO
CITY COUNCIL AND HOUSING AUTHORITY
AGENDA
JANUARY 16, 2018**

Paul S. Leon
Mayor

Alan D. Wapner
Mayor pro Tem

Jim W. Bowman
Council Member

Debra Dorst-Porada
Council Member

Ruben Valencia
Council Member



Scott Ochoa
City Manager

John E. Brown
City Attorney

Sheila Mautz
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, Valencia, 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 54957.6, CONFERENCE WITH LABOR NEGOTIATOR: Scott Ochoa regarding Ontario Fire Management Group.
- GC 54956.9 (d)(1), CONFERENCE WITH LEGAL COUNSEL, EXISTING LITIGATION: *Ernesto Alonso, et al v. City of Ontario, et al; CIVDS 1705398*

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

PLEDGE OF ALLEGIANCE

Council Member Dorst-Porada

INVOCATION

Pastor Ezekiel Salazar, Montecito Baptist 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 December 5 and December 19, 2017, approving same as on file in the Records Management Department.

2. BILLS/PAYROLL

Bills November 5, 2017 through December 2, 2017 and **Payroll** November 5, 2017 through December 2, 2017, when audited by the Finance Committee.

3. A RESOLUTION FOR PLACEMENT OF SPECIAL ASSESSMENTS ON THE SAN BERNARDINO COUNTY TAX ROLLS

That the City Council adopt a resolution for recovery of fees and costs incurred in abating property and dangerous building violations, as well as administrative citation and civil penalties associated with property maintenance violations, and placing special assessments on the San Bernardino County Tax Rolls.

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, ADOPTING A REPORT REQUESTING THE PLACEMENT OF SPECIAL ASSESSMENTS ON PROPERTY TAX BILLS FOR CIVIL PENALTIES OR RECOVERY OF COSTS INCURRED FOR ABATEMENT OF VIOLATIONS OF CITY CODES AND ORDINANCES.

4. MEMORANDA OF UNDERSTANDING BETWEEN THE CITY OF ONTARIO AND THE ONTARIO PROFESSIONAL FIREFIGHTERS ASSOCIATION, LOCAL 1430 I.A.F.F.; AND THE CITY OF ONTARIO AND THE ONTARIO FIRE MANAGEMENT GROUP, AFFECTING TERMS AND CONDITIONS OF EMPLOYMENT DURING THE PERIOD OF JANUARY 1, 2018 TO JUNE 30, 2022; AND APPROVE RESOLUTIONS MODIFYING PAYMENT OF THE EMPLOYER PAID MEMBER CONTRIBUTIONS TO THE CALIFORNIA PUBLIC EMPLOYEES RETIREMENT SYSTEM FOR EMPLOYEES IN FIRE SAFETY BARGAINING UNITS

That the City Council approve and authorize the City Manager to execute four-year Memoranda of Understanding (both on file in the Records Management Department) regarding wages, hours and other terms and conditions of employment between the City of Ontario and the Ontario Professional Firefighters Association (OFFA) and the Ontario Fire Management Group (OFMG); and authorize the City Manager to make any non-substantive changes which may be necessary to implement the agreement; and adopt resolutions modifying the Employer Paid Member Contributions (EPMC) to the California Public Employees Retirement System (CalPERS) consistent with the terms and conditions of the labor agreements and pursuant to California Government Code Section 20691.

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, FOR EMPLOYER PAID MEMBER CONTRIBUTIONS FOR MEMBERS IN THE FIRE AND FIRE MANAGEMENT UNITS.

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, FOR EMPLOYER PAID MEMBER CONTRIBUTIONS FOR MEMBERS IN THE FIRE AND FIRE MANAGEMENT UNITS.

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, FOR EMPLOYER PAID MEMBER CONTRIBUTIONS FOR MEMBERS IN THE FIRE AND FIRE MANAGEMENT UNITS.

5. AUTHORIZE THE PURCHASE OF FLEET VEHICLES/NATIONAL AUTO FLEET GROUP/RACEWAY FORD/DEERE & COMPANY

That the City Council take the following actions:

- (A) Authorize the cooperative purchase and delivery of one Chevrolet Colorado in the amount of \$30,587, one Ford Escape in the amount of \$26,018, one Ford Police Interceptor Utility in the amount of \$31,423, and one Ford Explorer in the amount of \$47,836 for the Police Department from National Auto Fleet Group of Watsonville, California, consistent with the terms and conditions of the National Joint Powers Alliance (NJPA) Cooperative Contract 120716-NAF;
- (B) Authorize the purchase and delivery of one Ford Police Patrol SUV in the amount of \$28,483 for the Police Department from Raceway Ford in Riverside, California, consistent with the terms and conditions of City of Ontario Bid No. 821; and
- (C) Authorize the cooperative purchase and delivery of one John Deere Precision Cut Fairway Mower in the amount of \$62,863 for Parks & Maintenance from Deere & Company located in Cary, North Carolina, consistent with the terms and conditions of the National Joint Powers Alliance (NJPA) Cooperative Contract 062117-DAC.

6. AN ORDINANCE LEVYING SPECIAL TAXES WITHIN CERTAIN TERRITORY ANNEXED TO CITY OF ONTARIO COMMUNITY FACILITIES DISTRICT NO. 23 (PARK PLACE SERVICES)

That the City Council adopt an ordinance levying special taxes within certain territory annexed to City of Ontario Community Facilities District No. 23 (Park Place Services).

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, LEVYING SPECIAL TAXES WITHIN CERTAIN TERRITORY ANNEXED TO CITY OF ONTARIO COMMUNITY FACILITIES DISTRICT NO. 23 (PARK PLACE SERVICES).

PUBLIC HEARINGS

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

7. A PUBLIC HEARING TO CONSIDER A RESOLUTION REGARDING THE FORMATION OF CITY OF ONTARIO COMMUNITY FACILITIES DISTRICT NO. 26 (PARK PLACE FACILITIES PHASE III); ADOPTION OF A RESOLUTION TO INCUR BONDED INDEBTEDNESS; AND INTRODUCTION OF AN ORDINANCE LEVYING SPECIAL TAXES

That City Council:

- (A) Adopt a resolution establishing Community Facilities District No. 26 (Park Place Facilities Phase III), authorizing the levy of special taxes within the community facilities district, and establishing an appropriations limit for the community facilities district;
- (B) Adopt a resolution deeming it necessary to incur bonded indebtedness within Community Facilities District No. 26 (Park Place Facilities Phase III);
- (C) Adopt a resolution calling a special election for City of Ontario Community Facilities District No. 26 (Park Place Facilities Phase III);
- (D) Adopt a resolution declaring the results of the special election and directing the recording of a Notice of Special Tax Lien; and
- (E) Introduce and waive further reading of an ordinance levying special taxes within City of Ontario Community Facilities District No. 26 (Park Place Facilities Phase III).

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

Written communication.

Oral presentation.

Public hearing closed.

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, OF FORMATION OF THE CITY OF ONTARIO COMMUNITY FACILITIES DISTRICT NO. 26 (PARK PLACE FACILITIES PHASE III), AUTHORIZING THE LEVY OF A SPECIAL TAX WITHIN THE COMMUNITY FACILITIES DISTRICT AND ESTABLISHING AN APPROPRIATIONS LIMIT FOR THE COMMUNITY FACILITIES DISTRICT.

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, DEEMING IT NECESSARY TO INCUR BONDED INDEBTEDNESS WITHIN THE CITY OF ONTARIO COMMUNITY FACILITIES DISTRICT NO. 26 (PARK PLACE FACILITIES PHASE III).

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, CALLING SPECIAL ELECTION FOR CITY OF ONTARIO COMMUNITY FACILITIES DISTRICT NO. 26 (PARK PLACE FACILITIES PHASE III).

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, DECLARING RESULTS OF SPECIAL ELECTION AND DIRECTING RECORDING OF NOTICE OF SPECIAL TAX LIEN.

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, LEVYING SPECIAL TAXES WITHIN THE CITY OF ONTARIO COMMUNITY FACILITIES DISTRICT NO. 26 (PARK PLACE FACILITIES PHASE III).

ADMINISTRATIVE REPORTS/DISCUSSION/ACTION

8. A RESOLUTION AUTHORIZING THE ISSUANCE OF SPECIAL TAX BONDS FOR COMMUNITY FACILITIES DISTRICT NO. 34 (COUNTRYSIDE PHASE 1 NORTH - FACILITIES)

That the City Council adopt a resolution authorizing the issuance of special tax bonds for Community Facilities District No. 34 (Countryside Phase 1 North - Facilities).
The resolution:

- (A) Authorizes the issuance of special tax bonds for public improvements required to facilitate the development of the Countryside Phase 1 North - Facilities project;
- (B) Approves the forms of the Indenture of Trust, the Bond Purchase Agreement, the Continuing Disclosure Agreement, and the Preliminary Official Statement;
- (C) Authorizes a negotiated sale of the special tax bonds to Stifel, Nicolaus & Company, Incorporated. (the "Underwriter") in accordance with the terms of the Bond Purchase Agreement; and

- (D) Authorizes the execution of the Indenture of Trust, the Bond Purchase Agreement, the Continuing Disclosure Agreement, and the Preliminary Official Statement by the City Manager, or his designee.

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, AUTHORIZING THE ISSUANCE OF CITY OF ONTARIO COMMUNITY FACILITIES DISTRICT NO. 34 (COUNTRYSIDE PHASE 1 NORTH - FACILITIES) SPECIAL TAX BONDS, SERIES 2018, IN AN AGGREGATE PRINCIPAL AMOUNT OF NOT TO EXCEED \$9,000,000, AUTHORIZING THE EXECUTION AND DELIVERY OF AN INDENTURE, A BOND PURCHASE AGREEMENT AND A CONTINUING DISCLOSURE AGREEMENT, AUTHORIZING THE DISTRIBUTION OF AN OFFICIAL STATEMENT IN CONNECTION THEREWITH AND AUTHORIZING THE EXECUTION OF NECESSARY DOCUMENTS AND CERTIFICATES AND RELATED ACTIONS.

STAFF MATTERS

City Manager Ochoa

COUNCIL MATTERS

APPOINTMENT OF MUSEUM BOARD OF TRUSTEE

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

ADJOURNMENT

**CITY OF ONTARIO
CLOSED SESSION REPORT**
City Council // Housing Authority // Other // (GC 54957.1)
January 16, 2018

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

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

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

- GC 54957.6, CONFERENCE WITH LABOR NEGOTIATOR: Scott Ochoa regarding Ontario Fire Management Group.
- GC 54956.9 (d)(1), CONFERENCE WITH LEGAL COUNSEL, EXISTING LITIGATION: Ernesto Alonso, et al v. City of Ontario, et al; CIVDS 1705398

No Reportable Action	Continue	Approved
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Disposition: _____

CITY OF ONTARIO

Agenda Report
January 16, 2018

SECTION:
CONSENT CALENDAR

SUBJECT: A RESOLUTION FOR PLACEMENT OF SPECIAL ASSESSMENTS ON THE SAN BERNARDINO COUNTY TAX ROLLS


RECOMMENDATION: That the City Council adopt a resolution for recovery of fees and costs incurred in abating property and dangerous building violations, as well as administrative citation and civil penalties associated with property maintenance violations, and placing special assessments on the San Bernardino County Tax Rolls.

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

FISCAL IMPACT: The levy of special assessments will result in the recovery of \$110,145 in costs that the City has expended for inspection or abatement of property violations, as well as the collection of \$63,178 associated with civil penalties and/or fines for continued violations, for a total of \$173,323 to 177 parcels. When received, reimbursement of \$147,471 will be made to the General Fund and \$25,852 to the Dangerous Building Fund.

BACKGROUND: The City has established revolving funds to cover City costs for abatement of property and dangerous building violations, as a result of code enforcement activities as well as the generation of fines associated with administrative citations for property maintenance violations and fees and penalties associated with the Systematic Health and Safety Inspection Program, Abandoned and Distressed Property Program and Weed and Refuse Abatement Program. These costs, fines, fees and penalties are recovered through placement of special tax assessments upon the properties. The placement of special assessments and collection of revenue is done under Ordinance 3046, Property Appearance (Title 5, Chapter 22 of the Ontario Municipal Code); Chapter 9 of the Uniform Code for the Abatement of Dangerous Buildings; Ordinance 2920 for civil penalties for continued violations of the Ontario Municipal Code and fines associated with administrative citations (Title 1, Chapters 2 and 5 of the Ontario Municipal Code). The City and County currently have a contractual agreement regarding implementation of special assessments; however, a resolution authorizing the placement of the specific assessments is required.

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

Prepared by: Erin Bonett
Department: Code Enforcement
City Manager Approval: 

Submitted to Council/O.H.A. 01/16/2018
Approved: _____
Continued to: _____
Denied: _____

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This assessment cycle, the Code Enforcement Department has billed property owners for the abatement of violations, the issuance of fines associated with administrative citations, the issuance of fees and penalties associated with the Systematic Health and Safety Inspection Program, the issuance of registration fees and civil penalties associated with the Abandoned and Distressed Property Program, and the issuance of notice and re-inspection fees as well as civil penalties for the Weed and Refuse Abatement Program on 364 parcels. Of this, there are remaining amounts due on 177 parcels. Attached are itemized accounts of: (1) costs associated with inspection or abatement as shown in Exhibit A of the resolution; (2) civil penalties and/or fines for continued violations as shown in Exhibit B of the resolution; and (3) total amounts per parcel as shown in Exhibit C of the resolution. The expenditure list, with any necessary corrections and adjustments, will be submitted to the County prior to August 2018 for its 2018-2019 tax rolls.

All affected property owners were given notice of the imposition of the special assessments via certified mail as provided in Ontario Municipal Code Section 1-4.05(a), and either have not requested an appeal or have exhausted the appellate procedure in Ontario Municipal Code Section 1-4.05(b).

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, ADOPTING A REPORT REQUESTING THE PLACEMENT OF SPECIAL ASSESSMENTS ON PROPERTY TAX BILLS FOR CIVIL PENALTIES OR RECOVERY OF COSTS INCURRED FOR ABATEMENT OF VIOLATIONS OF CITY CODES AND ORDINANCES.

WHEREAS, Ordinance No. 3046, Property Appearance (Title 5, Chapter 22, of the Ontario Municipal Code) and Chapter 9 of the Uniform Code for the Abatement of Dangerous Buildings provide for the abatement of property nuisances by repair, rehabilitation, demolition or removal; and

WHEREAS, under Resolution 94-112, Resolution ORA-499, and the Cooperation and Reimbursement Agreement entered into on the 15th day of November, 1994, by the City of Ontario and the Ontario Redevelopment Agency, the Ontario Redevelopment Agency made a one-time advance to the City of One Hundred Fifty Thousand Dollars (\$150,000) to repair or abate dangerous buildings and properties throughout the City; and

WHEREAS, under a first amendment to the Cooperation and Reimbursement Agreement entered into on the 16th day of July 1996, by the City of Ontario and the Ontario Redevelopment Agency, the Ontario Redevelopment Agency made an additional advance to the City of One Hundred Thousand Dollars (\$100,000) to continue to repair or abate dangerous buildings and properties throughout the City; and

WHEREAS, under Resolution 94-113, Resolution ORA-500, and the Cooperation and Reimbursement Agreement entered into on the 15th day of November 1994, by the City of Ontario and the Ontario Redevelopment Agency, the Ontario Redevelopment Agency made a one-time advance to the City of Thirty Thousand Dollars (\$30,000) to repair or abate dangerous buildings and properties in the 6th and Grove area; and

WHEREAS, under Resolution 94-12, Resolution ORA-464, and the Cooperation and Reimbursement Agreement entered into on the 22nd day of February 1994, by the City of Ontario and the Ontario Redevelopment Agency, the Ontario Redevelopment Agency made a one-time advance to the City of One Hundred Fifty Thousand Dollars (\$150,000) to repair or demolish dangerous buildings throughout the City; and

WHEREAS, Ordinance No. 2894, Systematic Health and Safety Inspection Program (Title 8, Chapter 17, of the Ontario Municipal Code), provides for the collection of unpaid service fees, plus any penalties and accrued interest by Special Assessment; and

WHEREAS, Ordinance No. 2920, provides for the assessment of civil penalties for continued violations of the Ontario Municipal Code (Title 1, Chapter 2 of the Ontario Municipal Code), and for fines associated with administrative citations to be collected by Special Assessment (Title 1, Chapter 5 of the Ontario Municipal Code), and establishes a uniform procedure before imposing such Special Assessments (Title 1, Chapter 4 of the Ontario Municipal Code); and

WHEREAS, the above said ordinances, resolutions and agreements provide for recovery of costs incurred in the abatement of violations by means of a Special Assessment placed on the tax rolls; and

WHEREAS, the City has incurred costs involved in the abatement of violations under the Ontario Municipal Code and Uniform Code for the Abatement of Dangerous Buildings, issuing Notices of Violation, and administering the Systematic Health and Safety Program and wishes to recover said costs; and

WHEREAS, the owners of all parcels listed in Exhibit A, B, and C were given notice of imposition of such Special Assessment as provided in Ontario Municipal Code Section 1-4.05(a), and either have not requested an appeal, or have exhausted the appellate procedure provided in Ontario Municipal Code Section 1-4.05(b); and

WHEREAS, the City has an executed contract with the San Bernardino County Board of Supervisors for collection of said assessments;

NOW, THEREFORE, BE IT RESOLVED that the City Council:

1. Confirmed the costs associated with inspection or abatement on the properties as set forth in the report in Exhibit A; and
2. Confirmed the civil penalties and/or fines for continued violations on the properties as set forth in the report in Exhibit B; and
3. Confirmed that Exhibit C contains the total amount assessed for both confirmed costs and confirmed civil penalties and/or fines for each of the properties; and
4. Found and determined that the report, and Exhibits contained therein are true and accurate; and
5. Adopts the above said report and finds that the costs of inspection or abatement on the properties listed are the costs set forth in Exhibit A, the civil penalties and/or fines for continued violations are the penalties and/or fines as set forth in Exhibit B, and the same are hereby charged and placed as special assessments upon the respective properties; and
6. Directs Exhibit C shall be sent to the Auditor-Controller of San Bernardino County and shall be collected on the County tax roll.

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 January 2018.

PAUL S. LEON, MAYOR

ATTEST:

SHEILA MAUTZ, CITY CLERK

APPROVED AS TO LEGAL FORM:

BEST BEST & KRIEGER LLP
CITY ATTORNEY

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

I, SHEILA MAUTZ, City Clerk of the City of Ontario, DO HEREBY CERTIFY that foregoing Resolution No. 2018- was duly passed and adopted by the City Council of the City of Ontario at their regular meeting held January 16, 2018 by the following roll call vote, to wit:

AYES: COUNCIL MEMBERS:

NOES: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

SHEILA MAUTZ, CITY CLERK

(SEAL)

The foregoing is the original of Resolution No. 2018- duly passed and adopted by the Ontario City Council at their regular meeting held January 16, 2018.

SHEILA MAUTZ, CITY CLERK

(SEAL)

City of Ontario
Code Enforcement Department
2018/2019 Tax Roll Year Special Assessments
Exhibit A - Costs Associated with Inspection or Abatement

Parcel Number	Address	Amount Due
0108-404-01	1316 E SEVENTH ST, Ontario, CA 91764	110.00
0108-412-07	1747 N EL DORADO AV, Ontario, CA 91764	1,276.37
0108-481-18	0 E OLIVE ST, Ontario, CA 91764	110.00
0108-481-19	0 E OLIVE ST, Ontario, CA 91764	110.00
0108-481-20	0 E OLIVE ST, Ontario, CA 91764	110.00
0108-481-21	0 E OLIVE ST, Ontario, CA 91764	110.00
0108-481-22	0 E OLIVE ST, Ontario, CA 91764	110.00
0108-481-23	0 E OLIVE ST, Ontario, CA 91764	110.00
0108-491-04	1703 E DEODAR ST, Ontario, CA 91764	356.15
0108-541-04	1205 N CORONA AV, Ontario, CA 91764	954.36
0108-551-35	1725 E FOURTH ST, Ontario, CA 91764	110.00
0108-601-14	1522 N LAKE AV, Ontario, CA 91764	4,258.80
0110-061-01	1375 E HOLT BL, Ontario, CA 91761	810.00
0110-071-02	1389 E HOLT BL, Ontario, CA 91761	5,780.00
0110-153-01	1231 E G ST, Ontario, CA 91764	122.55
0110-163-30	908 N CALAVERAS AV, Ontario, CA 91764	476.30
0110-203-12	1018 N GLENN AV, Ontario, CA 91764	642.95
0110-293-09	631 N HUMBOLDT CT, Ontario, CA 91764	165.00
0110-481-51	1322 N CORONA AV, Ontario, CA 91764	1,110.22
0113-501-01	2812 S DIVERSA DR, Ontario, CA 91761	848.92
0113-551-17	2809 E DORAL CT, Ontario, CA 91761	505.88
0209-331-18	1902 E DEODAR ST, Ontario, CA 91764	1,398.93
0210-193-14	3480 E SHELBY ST, Ontario, CA 91764	110.00
0210-292-22	1729 E HAWTHORNE ST, Ontario, CA 91764	930.65
0210-301-46	2044 E HAWTHORNE CT, Ontario, CA 91764	101.55
0211-263-32	0 S HAVEN AV, Ontario, CA 91761	1,645.00
0211-272-14	0 L.A.S.L.R.R., Ontario, CA 91761	110.00
0216-172-14	13158 S WALKER AV, Ontario, CA 91761	2,814.83
0216-391-24	2620 S WALKER AV, Ontario, CA 91761	3,301.46
0216-481-73	1491 E DEERFIELD ST, Ontario, CA 91761	98.55
0218-842-04	3073 E CHAPARRAL ST, Ontario, CA 91761	11.48
0238-012-30	5060 E FOURTH ST, Ontario, CA 91764	110.00
1008-472-12	1027 W LA DENEY DR, Ontario, CA 91762	120.05
1008-571-34	1550 W HARVARD PL, Ontario, CA 91762	96.05
1008-572-14	1415 W HARVARD PL, Ontario, CA 91762	83.05
1008-572-24	1504 W FOURTH ST, Ontario, CA 91762	2,085.90
1010-093-09	1521 W J ST, Ontario, CA 91762	360.65
1010-121-38	1148 W I ST, Ontario, CA 91762	356.28
1010-132-05	1129 W FOURTH ST, Ontario, CA 91762	6,301.81
1010-421-16	1538 W FAWN ST, Ontario, CA 91762	242.40
1010-446-02	1210 W D ST, Ontario, CA 91762	1,932.28
1010-472-03	951 W F ST, Ontario, CA 91762	402.58
1010-511-03	1055 W D ST, Ontario, CA 91762	635.25
1010-521-30	151 N MOUNTAIN AV, Ontario, CA 91762	980.05
1010-551-06	1444 W STONERIDGE CT, Ontario, CA 91762	110.00
1011-361-08	1517 W MISSION BL, Ontario, CA 91762	1,000.55

City of Ontario
Code Enforcement Department
2018/2019 Tax Roll Year Special Assessments
Exhibit A - Costs Associated with Inspection or Abatement

Parcel Number	Address	Amount Due
1011-531-13	1114 S MAGNOLIA AV, Ontario, CA 91762	422.77
1011-581-19	1244 S MAGNOLIA AV, Ontario, CA 91762	110.00
1014-152-10	1487 S GRANITE AV, Ontario, CA 91762	4,226.15
1014-182-15	844 W JUNIPER ST, Ontario, CA 91762	143.55
1014-211-08	1228 W FRANCIS ST, Ontario, CA 91762	1,048.58
1014-231-26	1605 S BENSON AV, Ontario, CA 91762	126.71
1014-571-14	2031 S BENSON AV, Ontario, CA 91762	1,453.73
1047-143-01	0 E EIGHTH ST, Ontario, CA 91764	1,770.00
1047-201-13	1558 N HOPE AV, Ontario, CA 91764	138.55
1047-212-03	1539 N MIRAMONTE AV, Ontario, CA 91764	138.55
1047-321-35	1394 N CHAFFEY CT, Ontario, CA 91762	46.05
1047-401-24	703 E BONNIE BRAE CT, Ontario, CA 91764	222.25
1047-413-15	1340 N ALLYN AV, Ontario, CA 91764	1,110.00
1047-433-12	1208 E SIXTH ST, Ontario, CA 91764	61.95
1047-473-29	1017 E FOURTH ST, Building:1, Unit:A, Ontario, CA 91764	27.44
1047-481-13	1241 N COUNCIL AV, Ontario, CA 91764	157.05
1047-543-29	407 E FOURTH ST, Ontario, CA 91764	379.05
1048-052-14	132 W J ST, Ontario, CA 91762	110.00
1048-064-18	329 E J ST, Ontario, CA 91764	605.84
1048-081-24	650 E J ST, Ontario, CA 91764	1,151.58
1048-091-03	520 E FOURTH ST, Ontario, CA 91764	7,494.88
1048-093-04	622 E FOURTH ST, Ontario, CA 91764	1,603.75
1048-191-05	735 N HOLMES AV, Ontario, CA 91764	1,244.17
1048-201-13	750 E EL MORADO CT, Ontario, CA 91764	921.84
1048-211-06	832 N BERLYN AV, Ontario, CA 91764	15.49
1048-345-03	313 W F ST, Ontario, CA 91762	1,725.18
1048-366-01	206 E G ST, Ontario, CA 91764	1,101.35
1048-381-04	526 E G ST, Ontario, CA 91764	314.80
1048-391-07	535 E E ST, Ontario, CA 91764	1,233.17
1048-403-17	817 E D ST, Ontario, CA 91764	46.46
1048-412-08	734 E F ST, Ontario, CA 91764	85.79
1048-442-04	0 N VIRGINIA AV, Ontario, CA 91764	110.00
1048-461-04	1094 E D ST, Ontario, CA 91761	46.46
1048-461-17	1063 E ELMA ST, Ontario, CA 91764	30.98
1048-462-03	1086 E ELMA ST, Ontario, CA 91761	113.75
1048-463-51	1159 E NOCTA ST, Ontario, CA 91761	30.98
1048-471-23	1101 E HOLT BL, Ontario, CA 91761	546.05
1048-521-05	528 E NOCTA ST, Ontario, CA 91764	3,139.46
1048-604-05	741 W B ST, Ontario, CA 91762	62.10
1049-021-09	549 W HOLT BL, Ontario, CA 91762	1,385.30
1049-057-05	112 S EUCLID AV, Building:1, Ontario, CA 91762	703.89
1049-059-03	413 W EMPORIA ST, Ontario, CA 91762	985.25
1049-071-01	100 E MAIN ST, Building:1, Unit:A, Ontario, CA 91761	186.05
1049-102-18	824 E EMPORIA ST, Ontario, CA 91761	110.00
1049-141-18	1124 E HOLT BL, Ontario, CA 91761	110.00
1049-141-19	1160 E HOLT BL, Ontario, CA 91761	110.00

City of Ontario
Code Enforcement Department
2018/2019 Tax Roll Year Special Assessments
Exhibit A - Costs Associated with Inspection or Abatement

Parcel Number	Address	Amount Due
1049-141-20	1170 E HOLT BL, Ontario, CA 91761	110.00
1049-141-21	1170 E HOLT BL, Ontario, CA 91761	110.00
1049-141-22	1170 E HOLT BL, Ontario, CA 91761	110.00
1049-141-23	1176 E HOLT BL, Ontario, CA 91761	110.00
1049-161-19	408 S GROVE AV, Ontario, CA 91761	15.49
1049-204-05	840 E ONTARIO BL, Ontario, CA 91761	110.00
1049-204-08	844 E ONTARIO BL, Ontario, CA 91761	110.00
1049-232-18	550 E PARK ST, Ontario, CA 91761	110.00
1049-232-23	551 E SUNKIST ST, Ontario, CA 91761	110.00
1049-245-01	421 S PLUM AV, Ontario, CA 91761	110.00
1049-261-11	400 W NEVADA ST, Ontario, CA 91762	46.46
1049-301-06	720 W PARK ST, Ontario, CA 91762	110.00
1049-303-19	720 W NEVADA ST, Ontario, CA 91762	4,558.10
1049-333-04	209 W CARLTON ST, Unit:A, Ontario, CA 91762	420.28
1049-362-04	740 E CALIFORNIA ST, Ontario, CA 91761	110.00
1049-366-09	901 S CALDWELL AV, Ontario, CA 91761	110.00
1049-382-04	1128 E CALIFORNIA ST, Ontario, CA 91761	1,047.37
1049-384-09	930 S GROVE AV, Ontario, CA 91761	110.00
1049-431-10	1211 S BON VIEW AV, Ontario, CA 91761	419.65
1049-431-16	1050 E BELMONT ST, Ontario, CA 91761	895.00
1049-451-20	1009 S CAMPUS AV, Ontario, CA 91761	110.00
1049-461-04	824 E BELMONT ST, Ontario, CA 91761	759.34
1049-502-04	618 E MAITLAND ST, Ontario, CA 91761	945.00
1049-502-26	637 E RALSTON ST, Unit:A, Ontario, CA 91761	46.46
1049-503-13	1104 S CAMPUS AV, Ontario, CA 91761	74.25
1049-531-44	237 E ACACIA ST, Ontario, CA 91761	1,127.14
1049-591-18	613 W BELMONT ST, Ontario, CA 91762	339.51
1050-061-14	125 W ELM ST, Ontario, CA 91762	1,263.22
1050-092-24	1426 S MONTEREY AV, Ontario, CA 91761	755.68
1050-101-23	630 E DE ANZA ST, Ontario, CA 91761	626.65
1050-121-08	1510 S BON VIEW AV, Building:1, Ontario, CA 91761	1,177.35
1050-261-20	1613 S EUCLID AV, Ontario, CA 91761	1,445.55
1050-284-01	1702 S EUCLID AV, Building:1, Ontario, CA 91762	326.05
1050-291-24	456 W FRANCIS ST, Ontario, CA 91762	1,578.46
1050-411-32	1920 S MONTEREY AV, Ontario, CA 91761	28.20
1050-551-38	647 E BIRCH CT, Ontario, CA 91761	1,289.71
1051-091-22	2237 S PLEASANT AV, Ontario, CA 91761	4,426.60
1051-201-39	519 E FAIRFIELD CT, Ontario, CA 91761	1,045.33
1051-421-81	2715 S CONCORD AV, Ontario, CA 91761	83.05
1052-251-02	7208 E CHINO AV, Ontario, CA 91761	1,769.05
1083-091-08	2414 S SEAGULL AV, Ontario, CA 91761	15.53
1083-141-53	3121 E CRYSTAL LAKE RD, Ontario, CA 91761	1,646.89

110,145.17

City of Ontario
Code Enforcement Department
2018/2019 Tax Roll Year Special Assessments
Exhibit B - Civil Penalties and/or Fines for Continued Violations

Parcel Number	Address	Amount Due
0108-304-24	1364 E BONNIE BRAE ST, Ontario, CA 91764	120.00
0108-471-27	1548 E EIGHTH ST, Unit:A, Ontario, CA 91764	120.00
0108-493-37	1521 N MARIPOSA AV, Ontario, CA 91764	1,030.90
0108-493-53	1509 N CORONA AV, Ontario, CA 91764	170.00
0108-541-18	1647 E PRINCETON ST, Ontario, CA 91764	420.00
0108-611-08	1380 E SEVENTH ST, Ontario, CA 91764	420.00
0110-281-21	640 N AMADOR AV, Ontario, CA 91764	120.00
0110-514-03	716 N BAKER AV, Ontario, CA 91764	320.00
0113-351-10	1304 S MILDRED AV, Building:1, Ontario, CA 91761	2,277.37
0113-541-27	2701 S WHISPERING LAKES CT, Ontario, CA 91761	640.00
0209-351-29	1937 E HIGHLAND CT, Ontario, CA 91764	120.00
0210-041-64	1453 N SAN DIEGO PL, Ontario, CA 91764	420.00
0211-263-38	0 S METRO WY, Ontario, CA 91761	550.00
0211-263-39	0 E FRANCIS ST, Ontario, CA 91761	550.00
0211-263-40	0 S EXCISE AV, Ontario, CA 91761	550.00
0216-491-50	1419 E RIVERSIDE DR, Ontario, CA 91761	120.00
0218-761-73	3693 S BURNING TREE DR, Ontario, CA 91761	20,000.00
0218-911-08	2960 E THOROUGHbred ST, Ontario, CA 91761	7,500.00
1008-481-04	824 W LA DENEY DR, Ontario, CA 91762	120.00
1010-441-06	1236 W F ST, Ontario, CA 91762	640.00
1010-562-16	1549 W HOLLOWELL ST, Ontario, CA 91762	120.00
1014-111-06	1508 S MAGNOLIA AV, Ontario, CA 91762	120.00
1047-354-05	332 E LA DENEY DR, Ontario, CA 91764	120.00
1048-381-04	526 E G ST, Ontario, CA 91764	520.00
1048-503-06	345 N BERLYN AV, Ontario, CA 91761	120.00
1048-532-02	508 E LYNN HAVEN CT, Ontario, CA 91761	320.00
1049-231-05	520 E STATE ST, Ontario, CA 91761	320.00
1049-247-12	407 E PARK ST, Ontario, CA 91761	840.00
1049-302-23	736 W SUNKIST ST, Ontario, CA 91762	750.00
1049-334-23	410 W MAITLAND ST, Ontario, CA 91762	200.00
1049-492-45	1340 S PLEASANT AV, Ontario, CA 91761	170.00
1049-503-19	645 E BELMONT ST, Unit:B, Ontario, CA 91761	320.00
1050-051-18	318 W ELM ST, Ontario, CA 91762	120.00
1050-061-06	311 W ELM ST, Ontario, CA 91762	170.00
1050-092-41	1550 S MONTEREY AV, Ontario, CA 91761	320.00
1050-331-24	1919 S CYPRESS AV, Ontario, CA 91762	340.00
1050-421-02	642 E FRANCIS ST, Building:2, Ontario, CA 91761	340.00
1051-011-25	651 W MONTICELLO ST, Ontario, CA 91762	120.00
1051-201-65	661 E FAIRFIELD CT, Ontario, CA 91761	980.05
1051-331-17	2638 S PARKSIDE DR, Ontario, CA 91761	220.00
1052-071-05	7247 E RIVERSIDE DR, Ontario, CA 91761	120.00
1083-191-48	2743 S CYPRESS POINT PL, Ontario, CA 91761	320.00
1083-261-08	3105 E FAWN CT, Ontario, CA 91761	20,000.00

63,178.32

City of Ontario
Code Enforcement Department
2018/2019 Tax Roll Year Special Assessments
Exhibit C - Total Amounts per Parcel

Parcel Number	Address	Amount Due
0108-304-24	1364 E BONNIE BRAE ST, Ontario, CA 91764	120.00
0108-404-01	1316 E SEVENTH ST, Ontario, CA 91764	110.00
0108-412-07	1747 N EL DORADO AV, Ontario, CA 91764	1,276.37
0108-471-27	1548 E EIGHTH ST, Unit:A, Ontario, CA 91764	120.00
0108-481-18	0 E OLIVE ST, Ontario, CA 91764	110.00
0108-481-19	0 E OLIVE ST, Ontario, CA 91764	110.00
0108-481-20	0 E OLIVE ST, Ontario, CA 91764	110.00
0108-481-21	0 E OLIVE ST, Ontario, CA 91764	110.00
0108-481-22	0 E OLIVE ST, Ontario, CA 91764	110.00
0108-481-23	0 E OLIVE ST, Ontario, CA 91764	110.00
0108-491-04	1703 E DEODAR ST, Ontario, CA 91764	356.15
0108-493-37	1521 N MARIPOSA AV, Ontario, CA 91764	1,030.90
0108-493-53	1509 N CORONA AV, Ontario, CA 91764	170.00
0108-541-04	1205 N CORONA AV, Ontario, CA 91764	954.36
0108-541-18	1647 E PRINCETON ST, Ontario, CA 91764	420.00
0108-551-35	1725 E FOURTH ST, Ontario, CA 91764	110.00
0108-601-14	1522 N LAKE AV, Ontario, CA 91764	4,258.80
0108-611-08	1380 E SEVENTH ST, Ontario, CA 91764	420.00
0110-061-01	1375 E HOLT BL, Ontario, CA 91761	810.00
0110-071-02	1389 E HOLT BL, Ontario, CA 91761	5,780.00
0110-153-01	1231 E G ST, Ontario, CA 91764	122.55
0110-163-30	908 N CALAVERAS AV, Ontario, CA 91764	476.30
0110-203-12	1018 N GLENN AV, Ontario, CA 91764	642.95
0110-281-21	640 N AMADOR AV, Ontario, CA 91764	120.00
0110-293-09	631 N HUMBOLDT CT, Ontario, CA 91764	165.00
0110-481-51	1322 N CORONA AV, Ontario, CA 91764	1,110.22
0110-514-03	716 N BAKER AV, Ontario, CA 91764	320.00
0113-351-10	1304 S MILDRED AV, Building:1, Ontario, CA 91761	2,277.37
0113-501-01	2812 S DIVERSA DR, Ontario, CA 91761	848.92
0113-541-27	2701 S WHISPERING LAKES CT, Ontario, CA 91761	640.00
0113-551-17	2809 E DORAL CT, Ontario, CA 91761	505.88
0209-331-18	1902 E DEODAR ST, Ontario, CA 91764	1,398.93
0209-351-29	1937 E HIGHLAND CT, Ontario, CA 91764	120.00
0210-041-64	1453 N SAN DIEGO PL, Ontario, CA 91764	420.00
0210-193-14	3480 E SHELBY ST, Ontario, CA 91764	110.00
0210-292-22	1729 E HAWTHORNE ST, Ontario, CA 91764	930.65
0210-301-46	2044 E HAWTHORNE CT, Ontario, CA 91764	101.55
0211-263-32	0 S HAVEN AV, Ontario, CA 91761	1,645.00
0211-263-38	0 S METRO WY, Ontario, CA 91761	550.00
0211-263-39	0 E FRANCIS ST, Ontario, CA 91761	550.00
0211-263-40	0 S EXCISE AV, Ontario, CA 91761	550.00
0211-272-14	0 L.A.S.L.R.R., Ontario, CA 91761	110.00
0216-172-14	13158 S WALKER AV, Ontario, CA 91761	2,814.83
0216-391-24	2620 S WALKER AV, Ontario, CA 91761	3,301.46
0216-481-73	1491 E DEERFIELD ST, Ontario, CA 91761	98.55
0216-491-50	1419 E RIVERSIDE DR, Ontario, CA 91761	120.00

City of Ontario
Code Enforcement Department
2018/2019 Tax Roll Year Special Assessments
Exhibit C - Total Amounts per Parcel

Parcel Number	Address	Amount Due
0218-761-73	3693 S BURNING TREE DR, Ontario, CA 91761	20,000.00
0218-842-04	3073 E CHAPARRAL ST, Ontario, CA 91761	11.48
0218-911-08	2960 E THOROUGHbred ST, Ontario, CA 91761	7,500.00
0238-012-30	5060 E FOURTH ST, Ontario, CA 91764	110.00
1008-472-12	1027 W LA DENEY DR, Ontario, CA 91762	120.05
1008-481-04	824 W LA DENEY DR, Ontario, CA 91762	120.00
1008-571-34	1550 W HARVARD PL, Ontario, CA 91762	96.05
1008-572-14	1415 W HARVARD PL, Ontario, CA 91762	83.05
1008-572-24	1504 W FOURTH ST, Ontario, CA 91762	2,085.90
1010-093-09	1521 W J ST, Ontario, CA 91762	360.65
1010-121-38	1148 W I ST, Ontario, CA 91762	356.28
1010-132-05	1129 W FOURTH ST, Ontario, CA 91762	6,301.81
1010-421-16	1538 W FAWN ST, Ontario, CA 91762	242.40
1010-441-06	1236 W F ST, Ontario, CA 91762	640.00
1010-446-02	1210 W D ST, Ontario, CA 91762	1,932.28
1010-472-03	951 W F ST, Ontario, CA 91762	402.58
1010-511-03	1055 W D ST, Ontario, CA 91762	635.25
1010-521-30	151 N MOUNTAIN AV, Ontario, CA 91762	980.05
1010-551-06	1444 W STONERIDGE CT, Ontario, CA 91762	110.00
1010-562-16	1549 W HOLLOWELL ST, Ontario, CA 91762	120.00
1011-361-08	1517 W MISSION BL, Ontario, CA 91762	1,000.55
1011-531-13	1114 S MAGNOLIA AV, Ontario, CA 91762	422.77
1011-581-19	1244 S MAGNOLIA AV, Ontario, CA 91762	110.00
1014-111-06	1508 S MAGNOLIA AV, Ontario, CA 91762	120.00
1014-152-10	1487 S GRANITE AV, Ontario, CA 91762	4,226.15
1014-182-15	844 W JUNIPER ST, Ontario, CA 91762	143.55
1014-211-08	1228 W FRANCIS ST, Ontario, CA 91762	1,048.58
1014-231-26	1605 S BENSON AV, Ontario, CA 91762	126.71
1014-571-14	2031 S BENSON AV, Ontario, CA 91762	1,453.73
1047-143-01	0 E EIGHTH ST, Ontario, CA 91764	1,770.00
1047-201-13	1558 N HOPE AV, Ontario, CA 91764	138.55
1047-212-03	1539 N MIRAMONTE AV, Ontario, CA 91764	138.55
1047-321-35	1394 N CHAFFEY CT, Ontario, CA 91762	46.05
1047-354-05	332 E LA DENEY DR, Ontario, CA 91764	120.00
1047-401-24	703 E BONNIE BRAE CT, Ontario, CA 91764	222.25
1047-413-15	1340 N ALLYN AV, Ontario, CA 91764	1,110.00
1047-433-12	1208 E SIXTH ST, Ontario, CA 91764	61.95
1047-473-29	1017 E FOURTH ST, Building:1, Unit:A, Ontario, CA 91764	27.44
1047-481-13	1241 N COUNCIL AV, Ontario, CA 91764	157.05
1047-543-29	407 E FOURTH ST, Ontario, CA 91764	379.05
1048-052-14	132 W J ST, Ontario, CA 91762	110.00
1048-064-18	329 E J ST, Ontario, CA 91764	605.84
1048-081-24	650 E J ST, Ontario, CA 91764	1,151.58
1048-091-03	520 E FOURTH ST, Ontario, CA 91764	7,494.88
1048-093-04	622 E FOURTH ST, Ontario, CA 91764	1,603.75
1048-191-05	735 N HOLMES AV, Ontario, CA 91764	1,244.17

City of Ontario
Code Enforcement Department
2018/2019 Tax Roll Year Special Assessments
Exhibit C - Total Amounts per Parcel

Parcel Number	Address	Amount Due
1048-201-13	750 E EL MORADO CT, Ontario, CA 91764	921.84
1048-211-06	832 N BERLYN AV, Ontario, CA 91764	15.49
1048-345-03	313 W F ST, Ontario, CA 91762	1,725.18
1048-366-01	206 E G ST, Ontario, CA 91764	1,101.35
1048-381-04	526 E G ST, Ontario, CA 91764	520.00
1048-381-04	526 E G ST, Ontario, CA 91764	314.80
1048-391-07	535 E E ST, Ontario, CA 91764	1,233.17
1048-403-17	817 E D ST, Ontario, CA 91764	46.46
1048-412-08	734 E F ST, Ontario, CA 91764	85.79
1048-442-04	0 N VIRGINIA AV, Ontario, CA 91764	110.00
1048-461-04	1094 E D ST, Ontario, CA 91761	46.46
1048-461-17	1063 E ELMA ST, Ontario, CA 91764	30.98
1048-462-03	1086 E ELMA ST, Ontario, CA 91761	113.75
1048-463-51	1159 E NOCTA ST, Ontario, CA 91761	30.98
1048-471-23	1101 E HOLT BL, Ontario, CA 91761	546.05
1048-503-06	345 N BERLYN AV, Ontario, CA 91761	120.00
1048-521-05	528 E NOCTA ST, Ontario, CA 91764	3,139.46
1048-532-02	508 E LYNN HAVEN CT, Ontario, CA 91761	320.00
1048-604-05	741 W B ST, Ontario, CA 91762	62.10
1049-021-09	549 W HOLT BL, Ontario, CA 91762	1,385.30
1049-057-05	112 S EUCLID AV, Building:1, Ontario, CA 91762	703.89
1049-059-03	413 W EMPORIA ST, Ontario, CA 91762	985.25
1049-071-01	100 E MAIN ST, Building:1, Unit:A, Ontario, CA 91761	186.05
1049-102-18	824 E EMPORIA ST, Ontario, CA 91761	110.00
1049-141-18	1124 E HOLT BL, Ontario, CA 91761	110.00
1049-141-19	1160 E HOLT BL, Ontario, CA 91761	110.00
1049-141-20	1170 E HOLT BL, Ontario, CA 91761	110.00
1049-141-21	1170 E HOLT BL, Ontario, CA 91761	110.00
1049-141-22	1170 E HOLT BL, Ontario, CA 91761	110.00
1049-141-23	1176 E HOLT BL, Ontario, CA 91761	110.00
1049-161-19	408 S GROVE AV, Ontario, CA 91761	15.49
1049-204-05	840 E ONTARIO BL, Ontario, CA 91761	110.00
1049-204-08	844 E ONTARIO BL, Ontario, CA 91761	110.00
1049-231-05	520 E STATE ST, Ontario, CA 91761	320.00
1049-232-18	550 E PARK ST, Ontario, CA 91761	110.00
1049-232-23	551 E SUNKIST ST, Ontario, CA 91761	110.00
1049-245-01	421 S PLUM AV, Ontario, CA 91761	110.00
1049-247-12	407 E PARK ST, Ontario, CA 91761	840.00
1049-261-11	400 W NEVADA ST, Ontario, CA 91762	46.46
1049-301-06	720 W PARK ST, Ontario, CA 91762	110.00
1049-302-23	736 W SUNKIST ST, Ontario, CA 91762	750.00
1049-303-19	720 W NEVADA ST, Ontario, CA 91762	4,558.10
1049-333-04	209 W CARLTON ST, Unit:A, Ontario, CA 91762	420.28
1049-334-23	410 W MAITLAND ST, Ontario, CA 91762	200.00
1049-362-04	740 E CALIFORNIA ST, Ontario, CA 91761	110.00

City of Ontario
Code Enforcement Department
2018/2019 Tax Roll Year Special Assessments
Exhibit C - Total Amounts per Parcel

Parcel Number	Address	Amount Due
1049-366-09	901 S CALDWELL AV, Ontario, CA 91761	110.00
1049-382-04	1128 E CALIFORNIA ST, Ontario, CA 91761	1,047.37
1049-384-09	930 S GROVE AV, Ontario, CA 91761	110.00
1049-431-10	1211 S BON VIEW AV, Ontario, CA 91761	419.65
1049-431-16	1050 E BELMONT ST, Ontario, CA 91761	895.00
1049-451-20	1009 S CAMPUS AV, Ontario, CA 91761	110.00
1049-461-04	824 E BELMONT ST, Ontario, CA 91761	759.34
1049-492-45	1340 S PLEASANT AV, Ontario, CA 91761	170.00
1049-502-04	618 E MAITLAND ST, Ontario, CA 91761	945.00
1049-502-26	637 E RALSTON ST, Unit:A, Ontario, CA 91761	46.46
1049-503-13	1104 S CAMPUS AV, Ontario, CA 91761	74.25
1049-503-19	645 E BELMONT ST, Unit:B, Ontario, CA 91761	320.00
1049-531-44	237 E ACACIA ST, Ontario, CA 91761	1,127.14
1049-591-18	613 W BELMONT ST, Ontario, CA 91762	339.51
1050-051-18	318 W ELM ST, Ontario, CA 91762	120.00
1050-061-06	311 W ELM ST, Ontario, CA 91762	170.00
1050-061-14	125 W ELM ST, Ontario, CA 91762	1,263.22
1050-092-24	1426 S MONTEREY AV, Ontario, CA 91761	755.68
1050-092-41	1550 S MONTEREY AV, Ontario, CA 91761	320.00
1050-101-23	630 E DE ANZA ST, Ontario, CA 91761	626.65
1050-121-08	1510 S BON VIEW AV, Building:1, Ontario, CA 91761	1,177.35
1050-261-20	1613 S EUCLID AV, Ontario, CA 91761	1,445.55
1050-284-01	1702 S EUCLID AV, Building:1, Ontario, CA 91762	326.05
1050-291-24	456 W FRANCIS ST, Ontario, CA 91762	1,578.46
1050-331-24	1919 S CYPRESS AV, Ontario, CA 91762	340.00
1050-411-32	1920 S MONTEREY AV, Ontario, CA 91761	28.20
1050-421-02	642 E FRANCIS ST, Building:2, Ontario, CA 91761	340.00
1050-551-38	647 E BIRCH CT, Ontario, CA 91761	1,289.71
1051-011-25	651 W MONTICELLO ST, Ontario, CA 91762	120.00
1051-091-22	2237 S PLEASANT AV, Ontario, CA 91761	4,426.60
1051-201-39	519 E FAIRFIELD CT, Ontario, CA 91761	1,045.33
1051-201-65	661 E FAIRFIELD CT, Ontario, CA 91761	980.05
1051-331-17	2638 S PARKSIDE DR, Ontario, CA 91761	220.00
1051-421-81	2715 S CONCORD AV, Ontario, CA 91761	83.05
1052-071-05	7247 E RIVERSIDE DR, Ontario, CA 91761	120.00
1052-251-02	7208 E CHINO AV, Ontario, CA 91761	1,769.05
1083-091-08	2414 S SEAGULL AV, Ontario, CA 91761	15.53
1083-141-53	3121 E CRYSTAL LAKE RD, Ontario, CA 91761	1,646.89
1083-191-48	2743 S CYPRESS POINT PL, Ontario, CA 91761	320.00
1083-261-08	3105 E FAWN CT, Ontario, CA 91761	20,000.00
		173,323.49

CITY OF ONTARIO

Agenda Report
January 16, 2018

SECTION:
CONSENT CALENDAR

SUBJECT: MEMORANDA OF UNDERSTANDING BETWEEN THE CITY OF ONTARIO AND THE ONTARIO PROFESSIONAL FIREFIGHTERS ASSOCIATION, LOCAL 1430 I.A.F.F.; AND THE CITY OF ONTARIO AND THE ONTARIO FIRE MANAGEMENT GROUP, AFFECTING TERMS AND CONDITIONS OF EMPLOYMENT DURING THE PERIOD OF JANUARY 1, 2018 TO JUNE 30, 2022; AND APPROVE RESOLUTIONS MODIFYING PAYMENT OF THE EMPLOYER PAID MEMBER CONTRIBUTIONS TO THE CALIFORNIA PUBLIC EMPLOYEES RETIREMENT SYSTEM FOR EMPLOYEES IN FIRE SAFETY BARGAINING UNITS


RECOMMENDATION: That the City Council approve and authorize the City Manager to execute four-year Memoranda of Understanding (both on file in the Records Management Department) regarding wages, hours and other terms and conditions of employment between the City of Ontario and the Ontario Professional Firefighters Association (OFFA) and the Ontario Fire Management Group (OFMG); and authorize the City Manager to make any non-substantive changes which may be necessary to implement the agreement; and adopt resolutions modifying the Employer Paid Member Contributions (EPMC) to the California Public Employees Retirement System (CalPERS) consistent with the terms and conditions of the labor agreements and pursuant to California Government Code Section 20691.

COUNCIL GOALS: Invest in the Growth and Evolution of the City's Economy
Maintain the Current High Level of Public Safety
Operate In A Businesslike Manner

FISCAL IMPACT: The estimated additional annual recurring cost of the bargaining unit changes across all funds for each of the four years covered by the agreement is \$1,644,000 for year one, \$3,372,000 for year two, \$5,185,000 for year three and 7,089,00 for year four and going forward.

BACKGROUND: The current Memoranda of Understandings (MOUs) between the City, OFFA and OFMG expire in June 2018. Consistent with the current MOU, the parties reopened negotiations regarding salary increases for January 2018. During those negotiations, the parties reached a tentative

STAFF MEMBER PRESENTING: Angela Lopez, Human Resources Director

Prepared by: Reed Sigler
Department: Human Resources
City Manager Approval: 

Submitted to Council/O.H.A. 01/16/2018
Approved: _____
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Denied: _____

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agreement on successor MOUs, pending City Council approval. The proposed agreements include four-year MOU terms from January 1, 2018 through June 30, 2022.

The City, OFFA, and OFMG recognize the importance of maintaining the City's fiscally conservative approach while also attempting to provide a competitive compensation and benefit package to its employees. Containing future retirement costs while maintaining a competitive employee benefit package was a focal point in the negotiations with both parties. In 2012, the State of California passed the Public Employees Pension Reform Act of 2013, to address pension reform on a statewide basis. In a collaborative effort to continue to address the City's ongoing efforts related to pension reform, the City, OFFA, and OFMG have agreed to increase the employee share of the employee's CalPERS pension contribution. Under the terms of the present MOUs, employees identified as CalPERS "classic" employees contribute 6% of their pay on a pre-tax basis toward the cost of their pension. The proposed MOUs increase the percentage of the employee's contribution toward the cost of their retirement on a pre-tax basis as follows: 7% in January 2018, 8% in January 2019 and 9% in January 2020. CalPERS requires resolutions to implement the changes in the EPMC. In addition, to help ensure the City is able to recruit and retain a highly qualified workforce, employees represented by OFFA and OFMG will receive general salary increases of 5% effective January 8, 2018; 5% in January 2019; 5% in January 2020; and 4% in January 2021.

OFFA Employees: Effective July 2018, unit employees will also be eligible to receive \$115 per pay period in bilingual pay compensation provided they successfully pass an examination regarding their proficiency to speak Spanish, or another language designated by the Fire Chief, in job-related situations. Additional skills compensation modifications effective January 2018 include: a cost neutral adjustment to Fire Staff Premium pay; the addition of a SWAT paramedic assignment hazard pay for up to three employees assigned to the SWAT Paramedic role, and an educational incentive pay for Fire Investigation Supervisors meeting certain educational requirements.

Other key changes include, establishing an Internal Revenue Code Section 401(a) money purchase plan for the City's contributions toward deferred compensation, affording reasonable time off for union activity, and Compensation survey in January 2022.

OFMG Employees: In recognition of compaction issues related to the Battalion Chief and Deputy Fire Chief classifications, the pay range for Deputy Fire Chief classification will be increased by 10% above the existing range and an education incentive will be available for those in the Deputy Fire Chief series meeting specific educational requirements.

OFFA and OFMG MOUs include minor language modifications to improve efficiency, consistency and reflect current practices.

These MOUs will provide the City of Ontario with economic certainty for budget forecasting in upcoming years while reflecting the positive partnership between the OFFA, OFMG and the City.

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, FOR EMPLOYER PAID MEMBER CONTRIBUTIONS FOR MEMBERS IN THE FIRE AND FIRE MANAGEMENT UNITS.

WHEREAS, the City Council of the City of Ontario has the authority to implement Government Code Section 20691; and

WHEREAS, the City Council of the City of Ontario has a written labor policy or agreement which specifically provides for the normal member contributions to be paid by the employer; and

WHEREAS, one of the steps in the procedures to implement Section 20691 is the adoption by the City Council of the City of Ontario of a Resolution to commence said Employer Paid Member Contributions (EPMC); and

WHEREAS, the City Council of the City of Ontario has identified the following conditions for the purpose of its election to pay EPMC:

- This benefit shall apply to all employees of the Fire and Fire Management Units.
- This benefit shall consist of paying 2% of the normal member contributions as EPMC.
- The effective date of this Resolution shall be January 7, 2018.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Ontario, California, elects to pay EPMC, as set forth above.

The City Clerk shall certify to the adoption of this Resolution

PASSED, APPROVED, AND ADOPTED this 16th day of January 2018.

PAUL S. LEON, MAYOR

ATTEST:

SHEILA MAUTZ, CITY CLERK

APPROVED AS TO LEGAL FORM:

BEST BEST & KRIEGER LLP
CITY ATTORNEY

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

I, SHEILA MAUTZ, City Clerk of the City of Ontario, DO HEREBY CERTIFY that foregoing Resolution No. 2018- was duly passed and adopted by the City Council of the City of Ontario at their regular meeting held January 16, 2018, by the following roll call vote, to wit:

AYES: COUNCIL MEMBERS:

NOES: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

SHEILA MAUTZ, CITY CLERK

(SEAL)

The foregoing is the original of Resolution No. 2018- duly passed and adopted by the Ontario City Council at their regular meeting held January 16, 2018.

SHEILA MAUTZ, CITY CLERK

(SEAL)

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, FOR EMPLOYER PAID MEMBER CONTRIBUTIONS FOR MEMBERS IN THE FIRE AND FIRE MANAGEMENT UNITS.

WHEREAS, the City Council of the City of Ontario has the authority to implement Government Code Section 20691; and

WHEREAS, the City Council of the City of Ontario has a written labor policy or agreement which specifically provides for the normal member contributions to be paid by the employer; and

WHEREAS, one of the steps in the procedures to implement Section 20691 is the adoption by the City Council of the City of Ontario of a Resolution to commence said Employer Paid Member Contributions (EPMC); and

WHEREAS, the City Council of the City of Ontario has identified the following conditions for the purpose of its election to pay EPMC:

- This benefit shall apply to all employees of the Fire and Fire Management Units.
- This benefit shall consist of paying 1% of the normal member contributions as EPMC.
- The effective date of this Resolution shall be January 6, 2019.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Ontario, California, elects to pay EPMC, as set forth above.

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

PASSED, APPROVED, AND ADOPTED this 16th day of January 2018.

PAUL S. LEON, MAYOR

ATTEST:

SHEILA MAUTZ, CITY CLERK

APPROVED AS TO LEGAL FORM:

BEST BEST & KRIEGER LLP
CITY ATTORNEY

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

I, SHEILA MAUTZ, City Clerk of the City of Ontario, DO HEREBY CERTIFY that foregoing Resolution No. 2018- was duly passed and adopted by the City Council of the City of Ontario at their regular meeting held January 16, 2018, by the following roll call vote, to wit:

AYES: COUNCIL MEMBERS:

NOES: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

SHEILA MAUTZ, CITY CLERK

(SEAL)

The foregoing is the original of Resolution No. 2018- duly passed and adopted by the Ontario City Council at their regular meeting held January 16, 2018.

SHEILA MAUTZ, CITY CLERK

(SEAL)

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, FOR EMPLOYER PAID MEMBER CONTRIBUTIONS FOR MEMBERS IN THE FIRE AND FIRE MANAGEMENT UNITS.

WHEREAS, the City Council of the City of Ontario has the authority to implement Government Code Section 20691; and

WHEREAS, the City Council of the City of Ontario has a written labor policy or agreement which specifically provides for the normal member contributions to be paid by the employer; and

WHEREAS, one of the steps in the procedures to implement Section 20691 is the adoption by the City Council of the City of Ontario of a Resolution to commence said Employer Paid Member Contributions (EPMC); and

WHEREAS, the City Council of the City of Ontario has identified the following conditions for the purpose of its election to pay EPMC:

- This benefit shall apply to all employees of the Fire and Fire Management Units.
- This benefit shall consist of paying 0% of the normal member contributions as EPMC.
- The effective date of this Resolution shall be January 5, 2020.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Ontario, California, elects to pay EPMC, as set forth above.

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

PASSED, APPROVED, AND ADOPTED this 16th day of January 2018.

PAUL S. LEON, MAYOR

ATTEST:

SHEILA MAUTZ, CITY CLERK

APPROVED AS TO LEGAL FORM:

BEST BEST & KRIEGER LLP
CITY ATTORNEY

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

I, SHEILA MAUTZ, City Clerk of the City of Ontario, DO HEREBY CERTIFY that foregoing Resolution No. 2018- was duly passed and adopted by the City Council of the City of Ontario at their regular meeting held January 16, 2018, by the following roll call vote, to wit:

AYES: COUNCIL MEMBERS:

NOES: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

SHEILA MAUTZ, CITY CLERK

(SEAL)

The foregoing is the original of Resolution No. 2018- duly passed and adopted by the Ontario City Council at their regular meeting held January 16, 2018.

SHEILA MAUTZ, CITY CLERK

(SEAL)

CITY OF ONTARIO

Agenda Report
January 16, 2018

SECTION:
CONSENT CALENDAR

SUBJECT: AUTHORIZE THE PURCHASE OF FLEET VEHICLES

RECOMMENDATION: That the City Council take the following actions:

- (A) Authorize the cooperative purchase and delivery of one Chevrolet Colorado in the amount of \$30,587, one Ford Escape in the amount of \$26,018, one Ford Police Interceptor Utility in the amount of \$31,423, and one Ford Explorer in the amount of \$47,836 for the Police Department from National Auto Fleet Group of Watsonville, California, consistent with the terms and conditions of the National Joint Powers Alliance (NJPA) Cooperative Contract 120716-NAF;
- (B) Authorize the purchase and delivery of one Ford Police Patrol SUV in the amount of \$28,483 for the Police Department from Raceway Ford in Riverside, California, consistent with the terms and conditions of City of Ontario Bid No. 821; and
- (C) Authorize the cooperative purchase and delivery of one John Deere Precision Cut Fairway Mower in the amount of \$62,863 for Parks & Maintenance from Deere & Company located in Cary, North Carolina, consistent with the terms and conditions of the National Joint Powers Alliance (NJPA) Cooperative Contract 062117-DAC.

COUNCIL GOALS: Maintain the Current High Level of Public Safety
Operate in a Businesslike Manner

FISCAL IMPACT: The Fiscal Year 2017-18 Adopted Budget includes appropriations in the amount of \$230,000 for the purchase of the replacement vehicles listed above. The total cost of the vehicles recommended for purchase is \$227,210.

BACKGROUND: The vehicles recommended for replacement in this action have outlived their useful life and it is no longer cost effective to maintain them. They are scheduled for replacement pursuant to ongoing efforts to reduce expenses, maximize useful life expectancy and extend replacement cycles of fleet equipment while ensuring safe and reliable operation. In general conformance with the provisions of

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

Prepared by: Manuel Rebolledo
Department: Fleet Services
City Manager Approval: 

Submitted to Council/O.H.A. 01/16/2018
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Government Code Section 54201 through 54204 and the Ontario Municipal Code, Section 2-6.11(b)(3), allows for the purchase of supplies and equipment through cooperative purchasing with another governmental agency. Cooperative purchasing allows the city to pool its procurement power with other public agencies to obtain pricing lower than otherwise might be possible.

- (A) Staff recommends the cooperative purchase and delivery of one Chevrolet Colorado in the amount of \$30,587, one Ford Escape in the amount of \$26,018, one Ford Police Interceptor Utility in the amount of \$31,423, and one Ford Explorer in the amount of \$47,836 for the Police Department from National Auto Fleet Group of Watsonville, California, consistent with the terms and conditions of the National Joint Powers Alliance (NJPA) Cooperative Contract 120716-NAF.
- (B) In August 2017, the City solicited bids for Ten Ford Police Patrol SUVs. The results were as follows:

Ten Police Patrol SUVs		
<u>Supplier</u>	<u>Location</u>	<u>Bid Amount</u>
Raceway Ford	Riverside, California	\$284,828
*Redlands Ford	Redlands, California	\$284,130
Fairview Ford	San Bernardino, California	\$292,068
Sunrise Ford	Fontana, California	\$297,693

On September 19, 2017, City Council awarded Bid No. 821 and authorized the purchase of 10 Ford Police Patrol SUV Vehicles from Raceway Ford of Riverside, California. The awarded bid states the City reserves the right to order more, less, or no items at the “per unit cost” stated in the bid proposal. City Staff and Raceway Ford have negotiated the purchase of one additional Ford Police Patrol SUV at the same price per unit of \$28,483, as previously ordered.

*Redlands Ford was deemed non-responsive as they did not adhere to the prescribed online procurement bid specification requirements.

- (C) Staff recommends the cooperative purchase and delivery of one John Deere Precision Cut Fairway Mower in the amount of \$62,863 for Parks & Maintenance from Deere & Company located in Cary, North Carolina, consistent with the terms and conditions of the National Joint Powers Alliance (NJPA) Cooperative Contract 062117-DAC.

CITY OF ONTARIO

Agenda Report
January 16, 2018

SECTION:
CONSENT CALENDAR

SUBJECT: AN ORDINANCE LEVYING SPECIAL TAXES WITHIN CERTAIN TERRITORY ANNEXED TO CITY OF ONTARIO COMMUNITY FACILITIES DISTRICT NO. 23 (PARK PLACE SERVICES)

RECOMMENDATION: That the City Council adopt an ordinance levying special taxes within certain territory annexed to City of Ontario Community Facilities District No. 23 (Park Place Services).


COUNCIL GOALS: Focus Resources in Ontario's Commercial and Residential Neighborhoods
Ensure the Development of a Well Planned, Balanced, and Self-Sustaining Community in Ontario Ranch

FISCAL IMPACT: The use of Mello-Roos financing for City services is critical in achieving the City Council's goal of "Ensure the Development of a Well Planned, Balanced, and Self-Sustaining Community in Ontario Ranch." The use of Mello-Roos financing for the Park Place development will not generate funds for facilities, and bonds will not be issued as part of this formation. Annexation of the territory to the CFD is in conformance with the provisions of the Park Place project's Development Agreement, and the First Amended and Restated Construction Agreement between the City and NMC Builders.

BACKGROUND: At the public hearing conducted by the City Council on December 19, 2017, the City Council adopted the resolutions annexing Additional Territory to Community Facilities District No. 23 (Park Place Services), (the "District"), and introduced and waived further reading of an ordinance levying special taxes within certain territory annexed to the District. Adoption of the ordinance will authorize the levy of special taxes in the Additional Territory.

The Mello-Roos Community Facilities Act of 1982 provides local government, with the approval of the qualified electors, the authority to annex Additional Territory to the District for the purpose of levying special taxes to fund governmental services. On November 7, 2017, the City Council approved Resolution No. 2017-129, a Resolution of Intention to annex the Additional Territory and authorize the levy of special taxes therein; and setting the public hearing date for the regularly scheduled City Council

STAFF MEMBER PRESENTING: Grant D. Yee, Administrative Services/Finance Director

Prepared by: Bob Chandler
Department: Management Services
City Manager Approval: 

Submitted to Council/O.H.A. 01/16/2018
Approved: _____
Continued to: _____
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meeting on December 19, 2017, to consider the annexation of Additional Territory to the District. At the Public Hearing conducted on December 19, 2017, the City Council adopted a resolution calling a special election and an associated resolution declaring the results of the special election on the annexation of the Additional Territory to the District and the levy of special taxes therein. The resolution also approved of a consolidated boundary map and directed the recording of a Notice of Annexation.

Included, as part of the Notice of Annexation is the Rate and Method of Apportionment of Special Tax for the District. No changes have been made to the Rate and Method since the formation of the District in 2014. The term and structure of the rate and method of apportionment of special tax are consistent with the City Council's adopted Mello-Roos Local Goals and Policies in all aspects, and are consistent with those of the previously adopted rates and methods of apportionment for Ontario Ranch community facilities districts. This ensures that the special tax rates levied on all residential property owners in community facilities districts in Ontario Ranch are developed in a consistent and equivalent manner.

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, LEVYING SPECIAL TAXES WITHIN CERTAIN TERRITORY ANNEXED TO CITY OF ONTARIO COMMUNITY FACILITIES DISTRICT NO. 23 (PARK PLACE SERVICES).

WHEREAS, on March 18, 2014, the City Council (the "City Council") of the City of Ontario (the "City"), pursuant to the Mello-Roos Community Facilities Act of 1982 (the "Act"), adopted resolutions, entitled "A Resolution of the City Council of the City of Ontario, California, of Formation of the City of Ontario Community Facilities District No. 23 (Park Place Services), Authorizing the Levy of a Special Tax within the Community Facilities District and Establishing an Appropriations Limit for the Community Facilities District" (the "Resolution of Formation") and "A Resolution of the City Council of the City of Ontario, California, Calling Special Election for City of Ontario Community Facilities District No. 23 (Park Place Services)," which resolutions, among other things, established City of Ontario Community Facilities District No. 23 (Park Place Services) (the "Community Facilities District") and called an election within the Community Facilities District on the proposition of levying special taxes (the "Special Taxes") within the Community Facilities District to pay for certain public services (the "Services") and establishing an appropriations limit for the Community Facilities District; and

WHEREAS, on March 18, 2014, an election was held in which the qualified electors of the Community Facilities District, by more than the two-thirds vote required by the Act, approved said proposition; and

WHEREAS, on April 1, 2014, the City Council, pursuant to the Act, adopted Ordinance No. 2988, entitled "An Ordinance of the City Council of the City of Ontario, California, Levying Special Taxes Within the City of Ontario Community Facilities District No. 23 (Park Place Services)" ("Ordinance No. 2988"), which, among other things, authorized and levied the Special Taxes within the Community Facilities District; and

WHEREAS, on November 7, 2017, the City Council, pursuant to the Act, adopted a resolution entitled "A Resolution of the City Council of the City of Ontario, California, of Intention to Annex Territory to City of Ontario Community Facilities District No. 23 (Park Place Services) and to Authorize the Levy of Special Taxes Therein" (the "Resolution of Intention") stating its intention to annex certain territory (the "Additional Territory") to the Community Facilities District, and to authorize the levy of the Special Taxes within the Additional Territory to provide the Services, and setting December 19, 2017 as the date for a public hearing to be held on the proposed annexation of the Additional Territory to the Community Facilities District; and

WHEREAS, on December 19, 2017, the City Council opened, conducted and closed said public hearing; and

WHEREAS, on December 19, 2017, the City Council adopted a resolution entitled "A Resolution of the City Council of the City of Ontario, California, Calling a Special Election to Levy a Special Tax Within Territory Proposed to be Annexed to City of Ontario Community Facilities District No. 23 (Park Place Services)," calling for a special election to submit to the qualified electors of the Additional Territory the proposition to levy the Special Taxes within the Additional Territory to pay for the Services; and

WHEREAS, on December 19, 2017, an election was held in which the qualified electors of the Additional Territory approved said proposition by more than the two-thirds vote required by the Act; and

WHEREAS, on December 19, 2017, the City Council adopted a resolution entitled "A Resolution of the City Council of the City of Ontario, California, Declaring Results of Special Election, Determining That Certain Territory is Added to and Part of City of Ontario Community Facilities District No. 23 (Park Place Services), Approving of a Consolidated Boundary Map and Directing Recording of a Notice of Annexation," declaring the results of said special election and determining that the Additional Territory is added to and part of the Community Facilities District; and

WHEREAS, Section 53339.8(a) of the Act provides that, if two-thirds of the votes cast on the proposition are in favor of levying the special tax, after the canvass of the returns of the election, the legislative body may levy any special tax within the annexed territory, as specified in the resolution of intention adopted pursuant to Section 53339.2 of the Act, and as specified in the ordinance adopted pursuant to Section 53340 of the Act; and

WHEREAS, Section 53340 of the Act provides that, after a community facilities district has been created and authorized to levy specified special taxes pursuant to Article 3.5 of the Act (commencing with Section 53339 of the Act), relating to the annexation of territory, the legislative body may, by ordinance, levy the taxes at the rate and apportion them in the manner specified in the resolution adopted pursuant to Article 3.5 of the Act (commencing with Section 53339 of the Act), such resolution being the resolution of intention to annex territory to a community facilities district; and

WHEREAS, the Community Facilities District has been authorized to levy the Special Taxes within the Additional Territory pursuant to Article 3.5 of the Act (commencing with Section 53339 of the Act); and

WHEREAS, the Resolution of Intention provides that the Special Taxes are to be levied within the Additional Territory in accordance with the rate and method of apportionment specified in the Resolution of Formation (the "Rate and Method");

THE CITY COUNCIL OF THE CITY OF ONTARIO DOES ORDAIN AS FOLLOWS:

SECTION 1. The foregoing recitals are true and correct.

SECTION 2. The City Council hereby authorizes and levies the Special Taxes within the Additional Territory pursuant to Sections 53339(a) and 53340 of the Act, at the rate and in accordance with the Rate and Method. The Special Taxes are hereby levied commencing in fiscal year 2018-19 and in each fiscal year thereafter until the last fiscal year in which such Special Taxes are authorized to be levied pursuant to the Rate and Method. The City Council may, in accordance with subdivision (b) of Section 53340 of the Act, provide, by resolution, for the levy of the Special Taxes in future tax years at the same rate or at a lower rate than the rate provided by this Ordinance. In no event shall the Special Taxes be levied on any parcel within the Additional Territory in excess of the maximum tax specified therefor in the Rate and Method. The Special Taxes shall be levied on all of the parcels in the Additional Territory, unless exempted by law or by the Rate and Method.

SECTION 3. The proceeds of the Special Taxes shall only be used to pay, in whole or in part, the cost of providing the Services and incidental expenses pursuant to the Act.

SECTION 4. The Special Taxes shall be collected in the same manner as ordinary *ad valorem* property taxes are collected and shall be subject to the same penalties and the same procedure, sale and lien priority in the case of delinquency as is provided for *ad valorem* taxes, unless another procedure is adopted by the City Council.

SECTION 5. If for any reason any portion of this Ordinance is found to be invalid, or if any Special Tax is found inapplicable to any particular parcel within the Additional Territory, as applicable, by a court of competent jurisdiction, the balance of this Ordinance and the application of such Special Tax to the remaining parcels within the Additional Territory shall not be affected.

The City Clerk of the City of Ontario shall certify as to 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 16th day of January 2018.

PAUL S. LEON, MAYOR

ATTEST:

SHEILA MAUTZ, CITY CLERK

APPROVED AS TO FORM:

BEST BEST & KRIEGER LLP
CITY ATTORNEY

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

I, SHEILA MAUTZ, City Clerk of the City of Ontario, DO HEREBY CERTIFY that foregoing Ordinance No. 3087 was duly introduced at a regular meeting of the City Council of the City of Ontario held December 19, 2017 and adopted at the regular meeting held January 16, 2018 by the following roll call vote, to wit:

AYES: COUNCIL MEMBERS:

NOES: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

SHEILA MAUTZ, CITY CLERK

(SEAL)

I hereby certify that the foregoing is the original of Ordinance No. 3087 duly passed and adopted by the Ontario City Council at their regular meeting held January 16, 2018 and that Summaries of the Ordinance were published on January 9, 2018 and January 23, 2018, in the Inland Valley Daily Bulletin newspaper.

SHEILA MAUTZ, CITY CLERK

(SEAL)

CITY OF ONTARIO

Agenda Report
January 16, 2018

SECTION:
PUBLIC HEARINGS

SUBJECT: A PUBLIC HEARING TO CONSIDER A RESOLUTION REGARDING THE FORMATION OF CITY OF ONTARIO COMMUNITY FACILITIES DISTRICT NO. 26 (PARK PLACE FACILITIES PHASE III); ADOPTION OF A RESOLUTION TO INCUR BONDED INDEBTEDNESS; AND INTRODUCTION OF AN ORDINANCE LEVYING SPECIAL TAXES

RECOMMENDATION: That City Council:

- (A) Adopt a resolution establishing Community Facilities District No. 26 (Park Place Facilities Phase III), authorizing the levy of special taxes within the community facilities district, and establishing an appropriations limit for the community facilities district;
- (B) Adopt a resolution deeming it necessary to incur bonded indebtedness within Community Facilities District No. 26 (Park Place Facilities Phase III);
- (C) Adopt a resolution calling a special election for City of Ontario Community Facilities District No. 26 (Park Place Facilities Phase III);
- (D) Adopt a resolution declaring the results of the special election and directing the recording of a Notice of Special Tax Lien; and
- (E) Introduce and waive further reading of an ordinance levying special taxes within City of Ontario Community Facilities District No. 26 (Park Place Facilities Phase III).

COUNCIL GOALS: Focus Resources in Ontario's Commercial and Residential Neighborhoods
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 Ontario Ranch

STAFF MEMBER PRESENTING: Grant D. Yee, Administrative Services/Finance Director

Prepared by: Bob Chandler
Department: Management Services
City Manager Approval: 

Submitted to Council/O.H.A. 01/16/2018
Approved: _____
Continued to: _____
Denied: _____

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FISCAL IMPACT: The use of Mello-Roos financing for facilities in the residential development of the Park Place Facilities Phase III project is estimated to generate approximately \$8 million, which will be used to help fund a portion of the public infrastructure improvements that will serve the project. Since Mello-Roos bonds are not a direct obligation of the City, and are paid from special taxes levied on each taxable parcel in the district, there is no general fund impact from the issuance of Mello-Roos bonds.

BACKGROUND: The Mello-Roos Community Facilities Act of 1982 provides local government, with the consent from a majority of the property owners, the authority to establish community facilities districts for the purpose of levying special taxes to fund governmental services and to finance various kinds of public infrastructure facilities. With the adoption of Resolution 2014-019 on March 18, 2014, the City Council authorized the levy of special taxes to fund various city services for the district. Under the Mello-Roos Act, the initial steps in the formation of a community facilities district to finance public improvements are adopting resolutions declaring the intention to establish a community facilities district, authorize the levy of special taxes, and to issue bonds. Accordingly, on December 5, 2017, the City Council approved Resolution No. 2017-145, a Resolution of Intention to establish City of Ontario Community Facilities District No. 26 (Park Place Facilities Phase III) and authorize the levy of special taxes, and Resolution No. 2017-146, declaring the City Council's intention to issue bonds for the district. The Resolution of Intention set the public hearing date for the regularly scheduled City Council meeting on January 16, 2018, to consider formation matters.

In the First Amended and Restated Agreement for the Financing and Construction of Limited Infrastructure Improvements to Serve an Easterly Portion of the New Model Colony ("First Amended and Restated Construction Agreement") between the City and NMC Builders LLC, the City agreed to cooperate with the members of NMC Builders, LLC in the formation of community facilities districts to assist in the financing of the public improvements included in the agreement. SL Ontario Development Company, L.L.C., an NMC Builders member, has provided written petitions to the City requesting formation of a community facilities district for the Park Place Facilities Phase III's project in the Ontario Ranch. The Park Place Facilities Phase III project addresses the development of approximately 17 taxable acres located east of the Celebration Avenue, generally west of Haven Avenue, south of Parkview Street and north of Merrill Avenue. At build out, the development is projected to include 279 detached single-family units.

Included, as part of the resolution of formation is the proposed Rate and Method of Apportionment of Special Tax for City of Ontario Community Facilities District No. 26 (Park Place Facilities Phase III). The terms of the Rate and Method of Apportionment of Special Tax are consistent with the City Council's adopted Mello-Roos Local Goals and Policies in all aspects, except that the percentage of assessed value of the total annual tax obligation plus the Homeowners Association (HOA) fee exceeds the adopted policy thresholds, in aggregate, by .19% for each detached unit. However, as has been previously authorized for other similarly constituted community facilities districts in the Ontario Ranch, and as is consistent with the "enhanced level of amenities" provisions of the Memorandum of Understanding executed between the City and NMC Builders on July 21, 2015 (the MOU), it is recommended that the policy threshold limitations be waived in this instance in recognition of the significantly enhanced level of amenities and services to be provided by the project's HOA(s), which are of the type contemplated by the MOU.

Under the proposed Rate and Method of Apportionment, **the portion of the maximum annual special tax rates which will be used to fund debt service payments on the bonds is fixed and will not increase over time.** As proposed, the amount of bonds authorized for the district (\$30 million) is set

intentionally higher than the current estimated bond amount (approximately \$8 million) in order to allow future City Councils the option, without increasing the amount of the annual special taxes, to issue additional bonds to replace and/or construct new public infrastructure improvements in the future, or to fund City services. The term and structure of the Rate and Method of Apportionment of Special Tax for the Park Place Facilities Phase III project is consistent with those of the previously adopted Rates and Methods of Apportionment for Ontario Ranch community facilities districts. This ensures that the special tax rates levied on all residential property owners in community facilities districts in Ontario Ranch are developed in a consistent and equivalent manner. In addition, under the provisions of the Mello-Roos Act, to ensure that home buyers are making an informed decision, all residential builders in the Ontario Ranch districts will be required to disclose the maximum annual special tax amount to each homeowner before entering into a sales contract.

Attached are four resolutions and an ordinance. The first resolution establishes the community facilities district, with the rate and method of apportionment of special taxes, and authorizes the levy of special taxes within the district. The second resolution deems the necessity of incurring bonded indebtedness for the district. The third calls for a special landowner election to be held on January 16, 2018. The fourth resolution declares the results of the election, including a statement from the City Clerk as to the canvass of ballots, and directs the recording of the Notice of Special Tax Lien. The ordinance authorizes the levying of special taxes.

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, OF FORMATION OF THE CITY OF ONTARIO COMMUNITY FACILITIES DISTRICT NO. 26 (PARK PLACE FACILITIES PHASE III), AUTHORIZING THE LEVY OF A SPECIAL TAX WITHIN THE COMMUNITY FACILITIES DISTRICT AND ESTABLISHING AN APPROPRIATIONS LIMIT FOR THE COMMUNITY FACILITIES DISTRICT.

WHEREAS, on December 5, 2017, the City Council (the "City Council") of the City of Ontario (the "City"), pursuant to the Mello-Roos Community Facilities Act of 1982 (the "Act"), adopted a resolution entitled "A Resolution of the City Council of the City of Ontario, California, of Intention to Establish a Community Facilities District, Proposed to be Named City of Ontario Community Facilities District No. 26 (Park Place Facilities Phase III), and to Authorize the Levy of Special Taxes" (the "Resolution of Intention"), stating its intention to establish a community facilities district (the "Community Facilities District") proposed to be named City of Ontario Community Facilities District No. 26 (Park Place Facilities Phase III), to authorize the levy of special taxes within the Community Facilities District to finance certain public facilities and services and setting the date for a public hearing to be held on the establishment of the Community Facilities District; and

WHEREAS, pursuant to the Resolution of Intention, notice of said public hearing was published in the *Inland Valley Daily Bulletin*, a newspaper of general circulation published in the area of the Community Facilities District, in accordance with the Act; and

WHEREAS, on this date, the City Council opened, conducted and closed said public hearing; and

WHEREAS, pursuant to the Resolution of Intention, each officer of the City who is or will be responsible for providing one or more of the proposed types of public facilities or services was directed to study, or cause to be studied, the proposed Community Facilities District and, at or before said public hearing, file a report with the City Council containing a brief description of the public facilities and services by type that will in his or her opinion be required to adequately meet the needs of the Community Facilities District, and his or her estimate of the cost of providing such public facilities and services; such officers were also directed to estimate the fair and reasonable cost of the public facilities proposed to be purchased as completed public facilities and of the incidental expenses proposed to be paid; and

WHEREAS, said report was so filed with the City Council and made a part of the record of said public hearing; and

WHEREAS, at the hearing, the testimony of all persons for or against the establishment of the Community Facilities District, the extent of the Community Facilities District and the furnishing of the specified types of public facilities and services was heard; and

WHEREAS, written protests against the establishment of the Community Facilities District, the furnishing of any specified type or types of facilities and services within the Community Facilities District or the levying of any specified special tax were not made or filed at or before said hearing by 50% or more of the registered voters, or six registered voters, whichever is more, residing within the territory proposed to be included in the Community Facilities District, or the owners of one-half or more of the area of land in the territory proposed to be included in the Community Facilities District and not exempt from the special tax; and

WHEREAS, there has been filed with the City Clerk of the City a letter from the Registrar of Voters of the County of San Bernardino indicating that no persons were registered to vote within the territory of the proposed Community Facilities District as of December 13, 2017, and, accordingly, that 12 or more persons have not been registered to vote within the territory of the proposed Community Facilities District for each of the 90 days preceding the close of said public hearing; and

WHEREAS, Section 53314.9 of the Act provides that, at any time either before or after the formation of a community facilities district, the legislative body may accept advances of funds from any source, including, but not limited to, private persons or private entities and may provide, by resolution, for the use of those funds for any authorized purpose, including, but not limited to, paying any cost incurred by the local agency in creating a community facilities district; and

WHEREAS, Section 53314.9 of the Act further provides that the legislative body may enter into an agreement, by resolution, with the person or entity advancing the funds, to repay all or a portion of the funds advanced, as determined by the legislative body, with or without interest, under all the following conditions: (a) the proposal to repay the funds is included in both the resolution of intention to establish a community facilities district adopted pursuant to Section 53521 of the Act and in the resolution of formation to establish a community facilities district pursuant to Section 53325.1 of the Act, (b) any proposed special tax is approved by the qualified electors of the community facilities district pursuant to the Act, and (c) any agreement shall specify that if the qualified electors of the community facilities district do not approve the proposed special tax, the local agency shall return any funds which have not been committed for any authorized purpose by the time of the election to the person or entity advancing the funds; and

WHEREAS, the City and SL Ontario Development Company, LLC ("SL Ontario") entered into a Deposit and Reimbursement Agreement, dated as of October 1, 2017 (the "Deposit Agreement"), that provides for the advancement of funds by SL Ontario to be used to pay costs incurred in connection with the establishment of the Community Facilities District and the issuance of special tax bonds thereby, and provides for the reimbursement to SL Ontario of such funds advanced, without interest, from the proceeds of any such bonds issued by the Community Facilities District; and

WHEREAS, in accordance with Section 53314.9 of the Act, the City desires to accept such advances and to reimburse SL Ontario therefor, without interest, from the proceeds of special tax bonds issued by the Community Facilities District.

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

SECTION 1. The foregoing recitals are true and correct.

SECTION 2. The Community Facilities District is hereby established pursuant to the Act.

SECTION 3. The Community Facilities District is hereby named "City of Ontario Community Facilities District No. 26 (Park Place Facilities Phase III)."

SECTION 4. The public facilities (the "Facilities") proposed to be financed by the Community Facilities District pursuant to the Act are described under the caption "Facilities" on Exhibit A hereto, which is by this reference incorporated herein. Those Facilities proposed to be purchased as completed public facilities are described under the caption "Facilities to be Purchased" on Exhibit A hereto. The services (the "Services") proposed to be financed by the Community Facilities District pursuant to the Act are described under the caption "Services" on Exhibit A hereto. The incidental expenses proposed to be incurred are identified under the caption "Incidental Expenses" on Exhibit A hereto. All or any portion of the Facilities may be financed through a financing plan, including, but not limited to, a lease, lease-purchase or installment-purchase arrangement.

SECTION 5. The proposed special tax to be levied within the Community Facilities District has not been precluded by majority protest pursuant to Section 53324 of the Act.

SECTION 6. Except where funds are otherwise available, a special tax sufficient to pay for all Facilities and Services, secured by recordation of a continuing lien against all nonexempt real property in the Community Facilities District, will be annually levied within the Community Facilities District. The rate and method of apportionment of the special tax (the "Rate and Method"), in sufficient detail to allow each landowner within the proposed Community Facilities District to estimate the maximum amount that he or she will have to pay, is described in Exhibit B attached hereto, which is by this reference incorporated herein. The conditions under which the obligation to pay the special tax to pay for Facilities may be prepaid and permanently satisfied are specified in the Rate and Method. The special tax will be collected in the same manner as ordinary *ad valorem* property taxes or in such other manner as the City Council shall determine, including direct billing of the affected property owners.

SECTION 7. The special tax may only finance the Services to the extent that they are in addition to those provided in the territory of the Community Facilities District before the Community Facilities District is created. The Services may not supplant services already available within that territory when the Community Facilities District is created.

SECTION 8. The tax year after which no further special tax to pay for Facilities will be levied against any parcel used for private residential purposes is specified in the Rate and Method. Under no circumstances shall the special tax to pay for Facilities in any fiscal year against any parcel used for private residential purposes be increased as a consequence of delinquency or default by the owner or owners of any other parcel or parcels within the Community Facilities District by more than 10% above the amount that would have been levied in that fiscal year had there never been any such delinquencies or defaults. For purposes of this paragraph, a parcel shall be considered “used for private residential purposes” not later than the date on which an occupancy permit for private residential use is issued.

SECTION 9. Pursuant to Section 53344.1 of the Act, the City Council hereby reserves to itself the right and authority to allow any interested owner of property within the Community Facilities District, subject to the provisions of said Section 53344.1 and to those conditions as it may impose, and any applicable prepayment penalties as prescribed in the bond indenture or comparable instrument or document, to tender to the Community Facilities District treasurer in full payment or part payment of any installment of the special taxes or the interest or penalties thereon which may be due or delinquent, but for which a bill has been received, any bond or other obligation secured thereby, the bond or other obligation to be taken at par and credit to be given for the accrued interest shown thereby computed to the date of tender.

SECTION 10. The name, address and telephone number of the office that will be responsible for preparing annually a current roll of special tax levy obligations by assessor’s parcel number and that will be responsible for estimating further special tax levies pursuant to Section 53340.2 of the Act are as follows: Management Analyst, Management Services, City of Ontario, 303 East B Street, Ontario, California 91764, (909) 395-2341.

SECTION 11. Upon recordation of a notice of special tax lien pursuant to Section 3114.5 of the California Streets and Highways Code, a continuing lien to secure each levy of the special tax shall attach to all nonexempt real property in the Community Facilities District and this lien shall continue in force and effect until the special tax obligation is prepaid and permanently satisfied and the lien canceled in accordance with law or until collection of the tax by the City Council ceases.

SECTION 12. The boundary map of the Community Facilities District has been recorded in San Bernardino County in Book 87 at Page 73 of Maps of Assessments and Community Facilities Districts in the San Bernardino County Recorder’s Office (Document No. 2017-0524939).

SECTION 13. The annual appropriations limit, as defined by subdivision (h) of Section 8 of Article XIII B of the California Constitution, of the Community Facilities District is hereby established at \$30,000,000.

SECTION 14. Pursuant to the provisions of the Act, the levy of the special tax and a proposition to establish the appropriations limit specified above shall be subject to the approval of the qualified electors of the Community Facilities District at a special

election. The City Council hereby finds and determines that no persons were registered to vote within the territory of the proposed Community Facilities District as of December 13, 2017, and that 12 or more persons have not been registered to vote within the territory of the Community Facilities District for each of the 90 days preceding the close of the public hearing held by the City Council on the establishment of the Community Facilities District. Accordingly, pursuant to Section 53326 of the Act, the vote shall be by the landowners of the Community Facilities District and each person who is the owner of land as of the close of said public hearings, or the authorized representative thereof, shall have one vote for each acre or portion of an acre that he or she owns within the Community Facilities District not exempt from the special tax. The voting procedure shall be by mailed or hand-delivered ballot.

SECTION 15. SL Ontario has heretofore advanced certain funds, and may advance additional funds, which have been or may be used to pay costs incurred in connection with the creation of the Community Facilities District and the issuance of special tax bonds thereby. The City Council has previously approved the acceptance of such funds for the purpose of paying costs incurred in connection with the creation of the Community Facilities District and the issuance of special tax bonds thereby. The City Council proposes to repay all or a portion of such funds expended for such purpose, solely from the proceeds of such bonds, pursuant to the Deposit Agreement. The Deposit Agreement is hereby incorporated herein as though set forth in full herein.

SECTION 16. The City Council hereby finds and determines that all proceedings up to and including the adoption of this Resolution were valid and in conformity with the requirements of the Act. In accordance with Section 53325.1 of the Act, such finding shall be final and conclusive.

SECTION 17. The officers, employees and agents of the City are hereby authorized and directed to take all actions and do all things which they, or any of them, may deem necessary or desirable to accomplish the purposes of this Resolution and not inconsistent with the provisions hereof.

SECTION 18. This Resolution shall take effect immediately upon its adoption.

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

PASSED, APPROVED and ADOPTED this 16th day of January 2018.

PAUL S. LEON, MAYOR

ATTEST:

SHEILA MAUTZ, CITY CLERK

APPROVED AS TO LEGAL FORM:

BEST BEST & KRIEGER LLP
CITY ATTORNEY

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

I, SHEILA MAUTZ, City Clerk of the City of Ontario, DO HEREBY CERTIFY that foregoing Resolution No. 2018- was duly passed and adopted by the City Council of the City of Ontario at their regular meeting held January 16, 2018 by the following roll call vote, to wit:

AYES: COUNCIL MEMBERS:

NOES: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

SHEILA MAUTZ, CITY CLERK

(SEAL)

The foregoing is the original of Resolution No. 2018- duly passed and adopted by the Ontario City Council at their regular meeting held January 16, 2018.

SHEILA MAUTZ, CITY CLERK

(SEAL)

EXHIBIT A

FACILITIES, SERVICES AND INCIDENTAL EXPENSES

Facilities

The types of facilities to be financed by the Community Facilities District are street and bridge improvements, including grading, paving, curbs and gutters, sidewalks, street signalization and signage, street lights and parkway and landscaping related thereto, domestic and recycled water distribution facilities, sewer collection facilities, solid waste facilities, storm drainage facilities, park and recreation facilities and equipment, aquatic facilities and equipment, fire facilities and equipment, police facilities and equipment, library facilities and equipment, fiber optic telecommunication system facilities, general governmental office, administrative and meeting facilities, and land, rights-of-way and easements necessary for any of such facilities.

Facilities to be Purchased

The types of facilities to be purchased as completed facilities are street and bridge improvements, including grading, paving, curbs and gutters, sidewalks, street signalization and signage, street lights and parkway and landscaping related thereto, domestic and recycled water distribution facilities, sewer collection facilities, solid waste facilities, storm drainage facilities, park and recreation facilities and equipment, aquatic facilities and equipment, fire facilities and equipment, police facilities and equipment, library facilities and equipment, fiber optic telecommunication system facilities, general governmental office, administrative and meeting facilities, and land, rights-of-way and easements necessary for any of such facilities.

Services

The types of services to be financed by the Community Facilities District are police protection services, fire protection and suppression services, ambulance and paramedic services, maintenance and lighting of parks, parkways, streets, roads and open space, flood and storm protection services and maintenance and operation of any real property or other tangible property with an estimated useful life of five or more years that is owned by the City.

Incidental Expenses

The incidental expenses proposed to be incurred include the following:

- (a) the cost of planning and designing public facilities to be financed, including the cost of environmental evaluations of those facilities;
- (b) the costs associated with the creation of the Community Facilities District, issuance of bonds, determination of the amount of taxes, collection of taxes, payment of taxes, or costs otherwise incurred in order to carry out the authorized purposes of the Community Facilities District; and
- (c) any other expenses incidental to the construction, completion, and inspection of the authorized work.

EXHIBIT B

PROPOSED RATE AND METHOD OF APPORTIONMENT OF SPECIAL TAX

EXHIBIT B

CITY OF ONTARIO COMMUNITY FACILITIES DISTRICT No. 26 (PARK PLACE FACILITIES PHASE III)

RATE AND METHOD OF APPORTIONMENT OF SPECIAL TAX

A Special Tax shall be levied on all Assessor's Parcels in the City of Ontario Community Facilities District No. 26 (Park Place Facilities Phase III) ("CFD No. 26") and collected each Fiscal Year, commencing in Fiscal Year 2018-19, in an amount determined by the City Council of the City of Ontario through the application of the Rate and Method of Apportionment, as described below. All of the real property in CFD No. 26, unless exempted by law or by the provisions hereof, shall be taxed for the purposes, to the extent, and in the manner herein provided.

A. DEFINITIONS

The terms hereinafter set forth have the following meanings:

"Acre" or "Acreage" means the land area of an Assessor's Parcel as shown on an Assessor's Parcel Map, or if the land area is not shown on an Assessor's Parcel Map, the land area shown on the applicable Final Subdivision Map, parcel map, condominium plan, or other recorded County map.

"Act" means the Mello-Roos Community Facilities Act of 1982, as amended, being Chapter 2.5, Division 2 of Title 5 of the California Government Code.

"Administrative Expenses" means the following actual or reasonably estimated costs directly related to the administration of CFD No. 26: the costs of computing the Special Taxes and preparing the annual Special Tax collection schedules (whether by the City or CFD No. 26 or both); the costs of collecting the Special Taxes (whether by the County or otherwise); the costs of remitting the Special Taxes to the Trustee; the costs of the Trustee (including its legal counsel) in the discharge of the duties required of it under the Indenture; the costs to the City or CFD No. 26 of complying with arbitrage rebate requirements; the costs to the City or CFD No. 26 of complying with City, CFD No. 26, or obligated persons disclosure requirements associated with applicable federal and state securities laws and of the Act; the costs associated with preparing Special Tax disclosure statements and responding to public inquiries regarding the Special Taxes; the costs of the City or CFD No. 26 related to the analysis and reduction, if any, of the Special Tax on Residential Property in accordance with Section C.1 herein; the costs of the City or CFD No. 26 related to an appeal of the Special Tax; the costs associated with the release of funds from any escrow account; the City's administration fees and third party expenses; the costs of City staff time and reasonable overhead relating to CFD No. 26; and amounts estimated or advanced by the City or CFD No. 26 for any other administrative purposes

of the CFD, including attorney's fees and other costs related to commencing and pursuing to completion any foreclosure of delinquent Special Taxes.

"Assessor's Parcel" means a lot or parcel shown in an Assessor's Parcel Map with an assigned Assessor's Parcel Number.

"Assessor's Parcel Map" means an official map of the Assessor of the County designating parcels by Assessor's Parcel Number.

"Assessor's Parcel Number" means, with respect to an Assessor's Parcel, that number assigned to such Assessor's Parcel by the County for purposes of identification.

"Assigned Special Tax" means the Special Tax for each Land Use Class of Developed Property, as determined in accordance with Section C.1.a.2 below.

"Backup Special Tax" means the Special Tax for each Land Use Class of Developed Property, as determined in accordance with Section C.1.a.3 below.

"Bonds" means any bonds or other debt (as defined in Section 53317(d) of the Act) issued by CFD No. 26 under the Act and payable from Special Taxes.

"Buildable Lot" means an individual lot, within a Final Subdivision Map or an area expected by CFD No. 26 to become Final Mapped Property, such as the area within a Tentative Tract Map, for which a building permit may be issued without further subdivision of such lot.

"CFD Administrator" means an official of the City responsible for determining the Special Tax Requirement, providing for the levy and collection of the Special Taxes, and performing the other duties provided for herein.

"CFD No. 26" means City of Ontario Community Facilities District No. 26 (Park Place Facilities Phase III).

"City" means the City of Ontario, California.

"City Council" means the City Council of the City, acting as the legislative body of CFD No. 26.

"County" means the County of San Bernardino.

"Designated Buildable Lot" means a Buildable Lot for which a building permit has not been issued by the City as of the date of calculation of the Backup Special Tax.

"Developed Property" means for each Fiscal Year, all Taxable Property, exclusive of Final Mapped Property, Taxable Property Owner Association Property, and Taxable Public Property, for which a building permit or other applicable permit for new construction was issued after January 1, 2017, and before May 1 of the prior Fiscal Year.

“Expected Residential Lot Count” means 279 Buildable Lots of Residential Property or, as determined by the CFD Administrator, the number of Buildable Lots of Residential Property based on the most recent Tentative Tract Map(s) or most recently recorded Final Subdivision Map(s) or modified Final Subdivision Map(s).

“Facilities” means the public facilities authorized to be financed, in whole or in part, by CFD No. 26.

“Final Mapped Property” means, for each Fiscal Year, all Taxable Property, exclusive of Developed Property, Taxable Property Owner Association Property, and Taxable Public Property, which as of January 1 of the previous Fiscal Year was located within a Final Subdivision Map. The term Final Mapped Property shall include any parcel map or Final Subdivision Map, or portion thereof, that creates individual lots for which a building permit may be issued, including Parcels that are designated as a remainder Parcel (i.e., one where the size, location, etc., precludes any further subdivision or taxable use).

“Final Subdivision Map” means a final tract map, parcel map, or lot line adjustment approved by the City pursuant to the Subdivision Map Act (California Government Code Section 66410 et seq.) or a condominium plan recorded pursuant to California Civil Code 1352 that, in either case, creates individual lots for which building permits may be issued without further subdivision.

“Fiscal Year” means the period starting July 1 and ending on the following June 30.

“Indenture” means the indenture, fiscal agent agreement, resolution, or other instrument pursuant to which Bonds are issued, as modified, amended, and/or supplemented from time to time.

“Land Use Class” means any of the classes listed in Table 1 below.

“Maximum Special Tax” means, with respect to an Assessor’s Parcel of Taxable Property, the Maximum Special Tax determined in accordance with Section C.1 below that can be levied in any Fiscal Year on such Assessor’s Parcel of Taxable Property.

“Minimum Sale Price” means the minimum price at which Units of a given Land Use Class have sold or are expected to be sold in a normal marketing environment and shall not include prices for such Units that are sold at a discount to expected sales prices for the purpose of stimulating the initial sales activity with respect to such Land Use Class.

“Non-Residential Property” means all Assessor’s Parcels of Developed Property for which a building permit was issued by the City permitting the construction of one or more non-residential structures or facilities that are not public school facilities.

“Outstanding Bonds” means all Bonds which are outstanding under and in accordance with the provisions of the Indenture.

“PACE Charges” means a contractual assessment or special tax as established by a public agency pursuant to AB 811 or SB 555, respectively, levied on an Assessor’s Parcel to fund eligible improvements to private property and entered into voluntarily by the property owner.

“Price Point Consultant” means any consultant or firm of such consultants selected by CFD No. 26 that (a) has substantial experience in performing price point studies for residential units within community facilities districts established under the Act or otherwise estimating or confirming pricing for residential units in such community facilities districts, (b) has recognized expertise in analyzing economic and real estate data that relates to the pricing of residential units in such community facilities districts, (c) is in fact independent and not under the control of CFD No. 26 or the City, (d) does not have any substantial interest, direct or indirect, with or in (i) CFD No. 26, (ii) the City, (iii) any owner of real property in CFD No. 26, or (iv) any real property in CFD No. 26, and (e) is not connected with CFD No. 26 or the City as an officer or employee thereof, but who may be regularly retained to make reports to CFD No. 26 or the City.

“Price Point Study” means a price point study or a letter updating a previous price point study prepared by the Price Point Consultant pursuant to Section C herein.

“Property Owner Association Property” means, for each Fiscal Year, any property within the boundaries of CFD No. 26 that was owned by a property owner association, including any master or sub-association, as of January 1 of the prior Fiscal Year.

“Proportionately” means (a) for Developed Property in the first step of Section D below, that the ratio of the actual Special Tax levy to the Maximum Special Tax is equal for all Assessor’s Parcels of Developed Property; however, for Developed Property in the fourth step of Section D below, Proportionately means that the amount of the increase above the Assigned Special Tax, if necessary, is equal for all Assessor’s Parcels of Developed Property, except that if the Backup Special Tax limits the increase on any Assessor’s Parcel(s), then the amount of the increase shall be equal for the remaining Assessor’s Parcels; (b) for Final Mapped Property, that the ratio of the actual Special Tax levy to the Maximum Special Tax is equal for all Assessor’s Parcels of Final Mapped Property; (c) for Undeveloped Property, that the ratio of the actual Special Tax levy to the Maximum Special Tax is equal for all Assessor’s Parcels of Undeveloped Property; (d) for Taxable Property Owner Association Property, that the ratio of the actual Special Tax levy to the Maximum Special Tax is equal for all Assessor’s Parcels of Taxable Property Owner Association Property; and (e) for Taxable Public Property, that the ratio of the actual Special Tax levy to the Maximum Special Tax is equal for all Assessor’s Parcels of Taxable Public Property.

“Public Property” means, for each Fiscal Year, property within the boundaries of CFD No. 26 that is (a) owned by, irrevocably offered to, or dedicated to the federal government, the State, the County, the City, or any local government or other public agency or (b) encumbered by an easement for purposes of public right-of-way that makes impractical its use for any purpose other than that set forth in such easement, provided that any property leased by a public agency to a private entity and subject to taxation under Section 53340.1 of the Act shall be taxed and classified according to its use.

“Rate and Method of Apportionment” means this Rate and Method of Apportionment of Special Tax.

“Residential Floor Area” means all of the Square Footage of living area within the perimeter of a residential Unit, not including any carport, walkway, garage, overhang, patio, enclosed patio, or similar area. The determination of Residential Floor Area shall be as set forth in the building permit(s) issued for such Assessor’s Parcel, or as set forth in other official records maintained by the City’s Building Department or other appropriate means selected by CFD No. 26. The actual Square Footage shall be rounded up to the next whole square foot. Once such determination has been made for an Assessor’s Parcel, it shall remain fixed in all future Fiscal Years unless an appeal pursuant to Section F below is approved that results in a change in the actual Square Footage.

“Residential Property” means all Assessor’s Parcels of Taxable Property for which a building permit may be issued for purposes of constructing one or more Units.

“Services” means the services authorized to be financed, in whole or in part, by CFD No. 26.

“Special Tax” means the special tax authorized by the qualified electors of CFD No. 26 to be levied within the boundaries of CFD No. 26.

“Special Tax Requirement” means for any Fiscal Year that amount required, after taking into account available amounts held in the funds and accounts established under the Indenture, for CFD No. 26 to: (i) pay debt service on all Outstanding Bonds which is due in the calendar year that commences in such Fiscal Year; (ii) pay periodic costs on the Bonds, including, but not limited to, credit enhancement and rebate payments on the Bonds; (iii) pay Administrative Expenses; (iv) provide any amounts required to establish or replenish any reserve fund for the Bonds; (v) pay directly for acquisition or construction of Facilities, or the cost of Services, to the extent that the inclusion of such amounts does not increase the Special Tax levy on Final Mapped Property or Undeveloped Property; (vi) provide an amount equal to Special Tax delinquencies based on the historical delinquency rate for the Special Tax as determined by the CFD Administrator.

“Square Footage” or **“Sq. Ft.”** means the floor area square footage reflected on the original construction building permit, or as set forth in other official records maintained by the City’s Building Department or other appropriate means selected by CFD No. 26, issued for construction of Residential Property or Non-Residential Property, plus any square footage subsequently added to a building of Non-Residential Property after issuance of a building permit for expansion or renovation of such building.

“State” means the State of California.

“Taxable Property” means, for each Fiscal Year, all of the Assessor’s Parcels within the boundaries of CFD No. 26 that are not exempt from the Special Tax pursuant to law or Section E below.

“Taxable Property Owner Association Property” means, for each Fiscal Year, all Assessor’s Parcels of Property Owner Association Property that are not exempt from the Special Tax pursuant to Section E below.

“Taxable Public Property” means, for each Fiscal Year, all Assessor’s Parcels of Public Property that are not exempt from the Special Tax pursuant to law or Section E below.

“Tentative Tract Map” means a map: (i) showing a proposed subdivision of an Assessor’s Parcel(s) and the conditions pertaining thereto; (ii) that may or may not be based on a detailed survey; and (iii) that is not recorded by the County to create legal lots.

“Total Tax Burden” means for any Unit, the annual Special Tax, together with *ad valorem* property taxes, special assessments, special taxes for any overlapping community facilities district, and any other taxes, fees, and charges which are levied and imposed on such Unit and the real property on which it is located and collected by the County on *ad valorem* tax bills and which are secured by such Unit and the real property on which it is located, assuming such Unit had been completed, sold, and subject to such levies and impositions, excluding service charges such as those related to sewer and trash and excluding PACE Charges levied on individual Assessor’s Parcels.

“Trustee” means the trustee or fiscal agent under the Indenture.

“TTM 18073” means Tentative Tract Map No. 18073, the area of which is located within CFD No. 26 and is commonly referred to as a portion of planning area 24 (or PA 24).

“TTM 18074” means Tentative Tract Map No. 18074, the area of which is located within CFD No. 26 and is commonly referred to as a portion of planning area 25 (or PA 25).

“TTM 18998” means Tentative Tract Map No. 18998, the area of which is located within CFD No. 26 and is commonly referred to as planning area 26 (or PA 26).

“Undeveloped Property” means, for each Fiscal Year, all Taxable Property not classified as Developed Property, Final Mapped Property, Taxable Public Property, or Taxable Property Owner Association Property.

“Unit” means an individual single-family detached or attached home, townhome, condominium, apartment, or other residential dwelling unit, including each separate living area within a half-plex, duplex, triplex, fourplex, or other residential structure.

B. ASSIGNMENT TO LAND USE CATEGORIES

Each Fiscal Year, beginning with Fiscal Year 2018-19, all Taxable Property within CFD No. 26 shall be classified as Developed Property, Final Mapped Property, Taxable Public Property, Taxable Property Owner Association Property, or Undeveloped Property and shall be subject to Special Taxes in accordance with the Rate and Method of Apportionment as determined pursuant to Sections C and D below. Assessor's Parcels of Residential Property shall be assigned to Land Use Classes 1 through 17 as listed in Table 1 below based on the Residential Floor Area of the Units on such Assessor's Parcels. Non-Residential Property shall be assigned to Land Use Classes 18 through 20.

C. MAXIMUM SPECIAL TAX

1. Special Tax

At least 30 days prior to the issuance of Bonds, the Assigned Special Tax on Developed Property (set forth in Table 1 below) shall be analyzed in accordance with and subject to the conditions set forth in this Section C. At such time, CFD No. 26 shall select and engage a Price Point Consultant and the CFD Administrator shall request the Price Point Consultant to prepare a Price Point Study setting forth the Minimum Sale Price of Units within each Land Use Class. If based upon such Price Point Study the CFD Administrator calculates that the Total Tax Burden applicable to Units within one or more Land Use Classes of Residential Property to be constructed within CFD No. 26 exceeds 1.95% of the Minimum Sale Price of such Units, the Assigned Special Tax shall be reduced to the extent necessary to cause the Total Tax Burden that shall apply to Units within such Land Use Class(es) not to exceed 1.95% of the Minimum Sale Price of such Units.

Each Assigned Special Tax reduction for a Land Use Class shall be calculated by the CFD Administrator separately, and it shall not be required that such reduction be proportionate among Land Use Classes. In connection with any reduction in the Assigned Special Tax, the Backup Special Tax shall also be reduced by the CFD Administrator based on the percentage reduction in Maximum Special Tax revenues within the Tentative Tract Map area(s) where the Assigned Special Tax reductions occurred. Upon determining the reductions, if any, in the Assigned Special Tax and Backup Special Tax required pursuant to this Section C, the CFD Administrator shall complete the Certificate of Modification of Special Tax substantially in the form attached hereto as Exhibit A (the "Certificate of Modification"), shall execute such completed Certificate of Modification, and shall deliver such executed Certificate of Modification to CFD No. 26. Upon receipt thereof, if in satisfactory form, CFD No. 26 shall execute such Certificate of Modification. The reduced Assigned Special Tax and Backup Special Tax specified in such Certificate of Modification shall become effective upon the execution of such Certificate of Modification by CFD No. 26

The Special Tax reductions required pursuant to this section shall be reflected in an amended notice of Special Tax lien which CFD No. 26 shall cause to be

recorded with the County Recorded as soon as practicable after execution of the Certificate of Modification by CFD No. 26. The reductions in this section apply to Residential Property, but not to Non-Residential Property.

a. Developed Property

1) *Maximum Special Tax*

The Maximum Special Tax that may be levied in any Fiscal Year for each Assessor's Parcel classified as Developed Property shall be the greater of (i) the amount derived by application of the Assigned Special Tax or (ii) the amount derived by application of the Backup Special Tax. The Maximum Special Tax shall not increase in future years, other than as calculated pursuant to Section C.1.a.3 below.

2) *Assigned Special Tax*

The Assigned Special Tax that may be levied in any Fiscal Year for each Land Use Class is shown below in Table 1.

**TABLE 1
ASSIGNED SPECIAL TAX – DEVELOPED PROPERTY**

Land Use Class	Description	Residential Floor Area (Square Footage)	Assigned Special Tax
1	Residential Property	< 1,701	\$1,937 per Unit
2	Residential Property	1,701 – 1,800	\$2,034 per Unit
3	Residential Property	1,801 – 1,900	\$2,147 per Unit
4	Residential Property	1,901 – 2,000	\$2,331 per Unit
5	Residential Property	2,001 – 2,100	\$2,375 per Unit
6	Residential Property	2,101 – 2,200	\$2,401 per Unit
7	Residential Property	2,201 – 2,300	\$2,480 per Unit
8	Residential Property	2,301 – 2,400	\$2,674 per Unit
9	Residential Property	2,401 – 2,500	\$2,718 per Unit
10	Residential Property	2,501 – 2,600	\$2,793 per Unit
11	Residential Property	2,601 – 2,700	\$2,863 per Unit
12	Residential Property	2,701 – 2,800	\$3,025 per Unit
13	Residential Property	2,801 – 2,900	\$3,122 per Unit
14	Residential Property	2,901 – 3,000	\$3,227 per Unit
15	Residential Property	3,001 – 3,100	\$3,324 per Unit
16	Residential Property	3,101 – 3,200	\$3,420 per Unit
17	Residential Property	> 3,200	\$3,517 per Unit

	Non-Residential Property		
18	TTM 18073		\$41,577 per Acre
19	TTM 18074		\$55,099 per Acre
20	TTM 18998		\$35,217 per Acre

3) *Backup Special Tax*

The Backup Special Tax shall be \$2,789 per Unit for Residential Property in TTM 18073, \$2,338 per Unit for Residential Property in TTM 18074, and \$2,334 per Unit for Residential Property in TTM 18998. However, if the Expected Residential Lot Count does not equal 75 for TTM 18073, 102 for TTM 18074, or 102 for TTM 18998, and the City has not issued Bonds, then the Backup Special Tax for Designated Buildable Lots of Residential Property shall be calculated separately for each Tentative Tract Map area according to the following formula:

$$\begin{aligned}
 \text{Backup Special Tax} &= \$41,577 \text{ for TTM 18073 or} \\
 &\quad \$55,099 \text{ for TTM 18074 or} \\
 &\quad \$35,217 \text{ for TTM 18998} \\
 &\quad \times \text{ Acreage of Designated Buildable Lots} \\
 &\quad \text{of Residential Property within the} \\
 &\quad \text{applicable Tentative Tract Map} \\
 &\quad \div \text{ Expected Residential Lot Count for} \\
 &\quad \text{Residential Property within the} \\
 &\quad \text{applicable Tentative Tract Map}
 \end{aligned}$$

If any portion of a Final Subdivision Map, or any area expected by CFD No. 26 to become Final Mapped Property, such as the area within TTM 18073, TTM 18074, TTM 18998, or any other Tentative Tract Map, changes any time after the City has issued Bonds, causing an adjustment to the number of Designated Buildable Lots, then the Backup Special Tax for all Designated Buildable Lots of Residential Property subject to the change shall be calculated according to the following steps:

Step 1: Determine the total Backup Special Taxes that could have been collected from Designated Buildable Lots, separately for each Tentative Tract Map, prior to the Final Subdivision Map or expected Final Mapped Property change.

Step 2: Divide the amount(s) determined in Step 1 by the number of Designated Buildable Lots, separately for each Tentative Tract Map, that exists after the Final Subdivision Map or expected Final Mapped Property change.

Step 3: Apply the amount(s) determined in Step 2 as the Backup Special Tax per Unit for Residential Property for each Tentative Tract Map.

The Backup Special Tax for an Assessor's Parcel shall not change once an Assessor's Parcel is classified as Developed Property.

b. *Final Mapped Property, Taxable Public Property, Taxable Property Owner Association Property, and Undeveloped Property*

The Maximum Special Tax for Final Mapped Property, Taxable Public Property, Taxable Property Owner Association Property, and Undeveloped Property shall be \$41,577 per Acre for such property in TTM 18073, \$55,099 per Acre for such property in TTM 18074, and \$35,217 per Acre for such property in TTM 18998, and shall not be subject to increase or reduction and, therefore, shall remain the same in every Fiscal Year.

2. Multiple Land Use Classes on an Assessor's Parcel

In some instances an Assessor's Parcel of Developed Property may contain more than one Land Use Class. The Maximum Special Tax levied on such Assessor's Parcel shall be the sum of the Maximum Special Tax for all Units of Residential Property and Acres of Non-Residential Property (based on the applicable building permits, Final Subdivision Map, parcel map, condominium plan, or other recorded County map) located on that Assessor's Parcel.

D. METHOD OF APPORTIONMENT OF THE SPECIAL TAX

Each Fiscal Year, beginning with Fiscal Year 2018-19, the CFD Administrator shall determine the Special Tax Requirement for such Fiscal Year. The Special Tax shall then be levied as follows:

First: If needed to satisfy the Special Tax Requirement, the Special Tax shall be levied Proportionately on each Assessor's Parcel of Developed Property up to 100% of the applicable Assigned Special Tax;

Second: If additional monies are needed to satisfy the Special Tax Requirement after the first step has been completed, then the Special Tax shall be levied Proportionately on each Assessor's Parcel of Final Mapped Property up to 100% of the Maximum Special Tax for Final Mapped Property;

Third: If additional monies are needed to satisfy the Special Tax Requirement after the first two steps have been completed, then the Special Tax shall be levied Proportionately on each Assessor's Parcel of Undeveloped Property up to 100% of the Maximum Special Tax for Undeveloped Property;

Fourth: If additional monies are needed to satisfy the Special Tax Requirement after the first three steps have been completed, then the levy of the Special Tax on each Assessor's Parcel of Developed Property whose Maximum Special Tax is determined through the application of the Backup Special Tax shall be increased Proportionately from the Assigned Special Tax up to the Maximum Special Tax for each such Assessor's Parcel;

Fifth: If additional monies are needed to satisfy the Special Tax Requirement after the first four steps have been completed, then the Special Tax shall be levied Proportionately on each Assessor's Parcel of Taxable Property Owner Association Property up to the Maximum Special Tax for Taxable Property Owner Association Property;

Sixth: If additional monies are needed to satisfy the Special Tax Requirement after the first five steps have been completed, then the Special Tax shall be levied Proportionately on each Assessor's Parcel of Taxable Public Property up to the Maximum Special Tax for Taxable Public Property.

Notwithstanding the above, under no circumstances shall the Special Tax levied in any Fiscal Year on any Assessor's Parcel of Residential Property for which an occupancy permit for private residential use has been issued be increased as a result of delinquency or default by the owner or owners of any other Assessor's Parcel or Assessor's Parcels within CFD No. 26 by more than ten percent above the amount that would have been levied in that Fiscal Year had there never been any such delinquencies or defaults.

E. EXEMPTIONS

No Special Tax shall be levied on up to 9.32 Acres of Public Property and up to 7.45 Acres of Property Owner Association Property. Tax-exempt status will be assigned by the CFD Administrator in the chronological order in which property becomes Public Property or Property Owner Association Property.

Property Owner Association Property or Public Property that is not exempt from the Special Tax under this section shall be subject to the levy of the Special Tax and shall be taxed Proportionately as part of the fifth or sixth step, respectively, in Section D above, up to 100% of the applicable Maximum Special Tax for Taxable Property Owner Association Property and Taxable Public Property. No Special Tax shall be levied in any Fiscal Year on Assessor's Parcels that have fully prepaid the Special Tax obligation pursuant to the formula set forth in Section H.

F. APPEALS

Any property owner may file a written appeal of the Special Tax with CFD No. 26 claiming that the amount or application of the Special Tax is not correct. The appeal

must be filed not later than one calendar year after having paid the Special Tax that is disputed, and the appellant must be current in all payments of Special Taxes. In addition, during the term of the appeal process, all Special Taxes levied must be paid on or before the payment date established when the levy was made.

The appeal must specify the reasons why the appellant claims the Special Tax is in error. The CFD Administrator shall review the appeal, meet with the appellant if the CFD Administrator deems necessary, and advise the appellant of its determination.

If the property owner disagrees with the CFD Administrator's decision relative to the appeal, the owner may then file a written appeal with the City Council whose subsequent decision shall be final and binding on all interested parties. If the decision of the CFD Administrator or subsequent decision by the City Council requires the Special Tax to be modified or changed in favor of the property owner, then the CFD Administrator shall determine if sufficient Special Tax revenue is available to make a cash refund. If a cash refund cannot be made, then an adjustment shall be made to credit future Special Tax levy(ies).

This procedure shall be exclusive and its exhaustion by any property owner shall be a condition precedent to filing any legal action by such owner.

G. MANNER OF COLLECTION

The Special Tax shall be collected in the same manner and at the same time as ordinary *ad valorem* property taxes; provided, however, that the Special Taxes may be collected in such other manner as the City Council shall determine, including direct billing of affected property owners.

H. PREPAYMENT OF SPECIAL TAX

The following definitions apply to this Section H:

“CFD Public Facilities” means \$8,860,000 each Prepayment Period, or such lower number as determined by the City Council to be sufficient to fund the Facilities and Services to be provided by CFD No. 26.

“Expenditures Fund” means funds or accounts, regardless of their names, that are established to hold moneys that are available to acquire or construct Facilities and to fund Services.

“Future Facilities Costs” means the CFD Public Facilities minus (i) Facilities and Services costs previously paid from the Expenditures Fund during the Prepayment Period in which the prepayment is being made, (ii) moneys currently on deposit in the Expenditures Fund from deposits made during the Prepayment Period in which the prepayment is being made, and (iii) moneys currently on deposit in an escrow fund that are expected to be available to finance Facilities costs. In no event shall the amount of Future Facilities Costs be less than zero.

“Prepayment Period” means one of three periods of time during which a Special Tax prepayment may be made.

“Prepayment Period 1” means July 1, 2018, through June 30, 2052.

“Prepayment Period 2” means July 1, 2052, through June 30, 2085.

“Prepayment Period 3” means July 1, 2085, through June 30, 2119.

1. Prepayment in Full

The obligation of an Assessor's Parcel to pay the Special Tax may be prepaid as described herein, provided that a prepayment may be made only for Assessor's Parcels for which a building permit for new construction was issued after January 1, 2017, and only if there are no delinquent Special Taxes with respect to such Assessor's Parcel at the time of prepayment. An owner of an Assessor's Parcel intending to prepay the Special Tax obligation shall provide the CFD Administrator with written notice of intent to prepay. Within 30 days of receipt of such written notice, the CFD Administrator shall notify such owner of the prepayment amount for such Assessor's Parcel. The CFD Administrator may charge a fee for providing this service. Prepayment in any six month period must be made not less than 45 days prior to the next occurring date that notice of redemption of Bonds from the proceeds of such prepayment may be given to the Trustee pursuant to the Indenture.

The Special Tax Prepayment Amount (defined below) shall be calculated as summarized below (capitalized terms as defined below):

	Bond Redemption Amount
plus	Redemption Premium
plus	Future Facilities Amount
plus	Defeasance Amount
plus	Administrative Fees and Expenses
<u>less</u>	<u>Reserve Fund Credit</u>
Total	Prepayment Amount

As of the proposed date of prepayment, the Special Tax Prepayment Amount (defined below) shall be calculated by the CFD Administrator as follows:

Paragraph No.

1. Confirm that no Special Tax delinquencies apply to such Assessor's Parcel, and determine the Prepayment Period for the proposed prepayment.
2. Compute the Assigned Special Tax and Backup Special Tax for the Assessor's Parcel to be prepaid based on the Developed Property Special Tax which is, or could be, charged in the current Fiscal Year. For Assessor's Parcels of Final Mapped Property (for which a building permit has been issued but which is not

yet classified as Developed Property) to be prepaid, compute the Assigned Special Tax and Backup Special Tax for that Assessor's Parcel as though it was already designated as Developed Property, based upon the building permit which has already been issued for that Assessor's Parcel.

3. (a) Divide the Assigned Special Tax computed pursuant to Paragraph 2 by the total estimated Assigned Special Tax for CFD No. 26 based on the Developed Property Special Tax which could be charged in the current Fiscal Year on all expected development through buildout of CFD No. 26, excluding any Assessor's Parcels which have been prepaid, and

(b) Divide the Backup Special Tax computed pursuant to Paragraph 2 by the estimated total Backup Special Tax at buildout of CFD No. 26, excluding any Assessor's Parcels which have been prepaid.
4. Multiply the larger quotient computed pursuant to Paragraph 3(a) or 3(b) by the Outstanding Bonds to compute the amount of Outstanding Bonds to be retired and prepaid (the "Bond Redemption Amount").
5. Multiply the Bond Redemption Amount computed pursuant to Paragraph 4 by the applicable redemption premium (e.g., the redemption price minus 100%), if any, on the Outstanding Bonds to be redeemed (the "Redemption Premium").
6. Compute the current Future Facilities Costs.
7. Multiply the larger quotient computed pursuant to Paragraph 3(a) or 3(b) by the amount determined pursuant to Paragraph 6 to compute the amount of Future Facilities Costs to be prepaid (the "Future Facilities Amount").
8. Compute the amount needed to pay interest on the Bond Redemption Amount from the first bond interest and/or principal payment date following the current Fiscal Year until the earliest redemption date for the Outstanding Bonds.
9. Determine the Special Tax levied on the Assessor's Parcel in the current Fiscal Year which has not yet been paid.
10. Add the amounts computed pursuant to Paragraphs 8 and 9 to determine the "Defeasance Amount".
11. Verify the administrative fees and expenses of CFD No. 26, including the costs to compute the prepayment, the costs to invest the prepayment proceeds, the costs to redeem Bonds, and the costs to record any notices to evidence the prepayment and the redemption (the "Administrative Fees and Expenses").
12. If reserve funds for the Outstanding Bonds, if any, are at or above 100% of the reserve requirement (as defined in the Indenture) on the prepayment date, a reserve fund credit shall be calculated as a reduction in the applicable reserve fund for the Outstanding Bonds to be redeemed pursuant to the prepayment (the

“Reserve Fund Credit”). No Reserve Fund Credit shall be granted if reserve funds are below 100% of the reserve requirement on the prepayment date or the redemption date.

13. The Special Tax prepayment is equal to the sum of the amounts computed pursuant to Paragraphs 4, 5, 7, 10, and 11, less the amount computed pursuant to Paragraph 12 (the “Prepayment Amount”).
14. From the Prepayment Amount, the amounts computed pursuant to Paragraphs 4, 5, 10, and 12 shall be deposited into the appropriate fund as established under the Indenture and be used to retire Outstanding Bonds or make debt service payments. The amount computed pursuant to Paragraph 7 shall be deposited into the Expenditures Fund. The amount computed pursuant to Paragraph 11 shall be retained by CFD No. 26.

The Special Tax Prepayment Amount may be sufficient to redeem other than a \$5,000 increment of Bonds. In such cases, the increment above \$5,000, or integral multiple thereof, will be retained in the appropriate fund established under the Indenture to be used with the next prepayment of Bonds or to make debt service payments.

As a result of the payment of the current Fiscal Year’s Special Tax levy as determined under Paragraph 9 (above), the CFD Administrator shall remove the current Fiscal Year’s Special Tax levy for such Assessor’s Parcel from the County tax rolls. With respect to any Assessor's Parcel that is prepaid during Prepayment Period 3, the CFD Administrator shall cause a suitable notice to be recorded in compliance with the Act to indicate that the Special Tax has been prepaid and that the obligation of such Assessor's Parcel to pay the Special Tax shall cease.

With respect to the Special Tax for any Assessor’s Parcel that is prepaid during Prepayment Period 1 or Prepayment Period 2, the obligation of such Assessor’s Parcel to pay the Special Tax shall be tolled, or suspended, through the end of such Prepayment Period, but shall resume in the first Fiscal Year of the subsequent Prepayment Period. The CFD Administrator shall cause a suitable notice to be recorded in compliance with the Act to indicate that the Special Tax has been satisfied for the remainder of the applicable Prepayment Period but has not been permanently satisfied and the obligation to pay the Special Tax will resume in the first Fiscal Year of the Prepayment Period following the Prepayment Period in which the prepayment was made. Once the obligation of an Assessor’s Parcel to pay the Special Tax resumes, the Special Tax for the then applicable Prepayment Period may be prepaid.

Notwithstanding the foregoing, no Special Tax prepayment shall be allowed unless the amount of Maximum Special Tax that may be levied on Taxable Property within CFD No. 26 (after excluding 9.32 Acres of Public Property and 7.45 acres of Property Owner Association Property) both prior to and after the proposed prepayment is at least 1.1 times the maximum annual debt service on all Outstanding Bonds.

2. Prepayment in Part

The Special Tax on an Assessor's Parcel for which a building permit for new construction was issued after January 1, 2017, may be partially prepaid. The amount of the prepayment shall be calculated as in Section H.1, except that a partial prepayment shall be calculated by the CFD Administrator according to the following formula:

$$PP = (PF - AE) \times \% + AE.$$

The terms above have the following meaning:

PP = the partial prepayment

PF = the Prepayment Amount (full prepayment) for the Special Tax calculated according to Section H.1

AE = the Administrative Fees and Expenses determined pursuant to paragraph 11 above

% = the percentage by which the owner of the Assessor's Parcel(s) is partially prepaying the Special Tax

The Special Tax partial prepayment amount must be sufficient to redeem at least a \$5,000 increment of Bonds.

The owner of any Assessor's Parcel who desires such prepayment shall notify the CFD Administrator of such owner's intent to partially prepay the Special Tax and the percentage by which the Special Tax shall be prepaid. The CFD Administrator shall provide the owner with a statement of the amount required for the partial prepayment of the Special Tax for an Assessor's Parcel within thirty (30) days of the request and may charge a fee for providing this service. With respect to any Assessor's Parcel that is partially prepaid, the CFD Administrator shall (i) distribute the remitted prepayment funds according to Section H.1, and (ii) indicate in the records of CFD No. 26 that there has been a partial prepayment of the Special Tax and that a portion of the Special Tax with respect to such Assessor's Parcel, equal to the outstanding percentage (100% - "%", as defined above) of the Maximum Special Tax, shall continue to be levied on such Assessor's Parcel pursuant to Section D during the Prepayment Period in which the partial prepayment is made.

For partial prepayments made during Prepayment Period 1 or Prepayment Period 2, the full amount of the Special Tax shall resume in the first Fiscal Year of the Prepayment Period following the Prepayment Period in which the partial prepayment was made. Once the obligation of an Assessor's Parcel to pay the Special Tax resumes, the Special Tax for the then applicable Prepayment Period may be prepaid.

I. TERM OF SPECIAL TAX

The Fiscal Year after which no further Special Tax shall be levied or collected is Fiscal Year 2118-2119, except that the Special Tax that was lawfully levied in or before such Fiscal Year and that remains delinquent may be collected in subsequent years.

EXHIBIT A

**CERTIFICATE OF MODIFICATION OF SPECIAL TAX
(PAGE 1 OF 3)**

CFD No. 26 CERTIFICATE

1. Pursuant to Section C.1 of the Rate and Method of Apportionment of Special Tax (the “Rate and Method”) for City of Ontario Community Facilities District No. 26 (Park Place Facilities Phase III) (“CFD No. 26”), the Assigned Special Tax and the Backup Special Tax for Developed Property within CFD No. 26 has been modified.
 - a. The information in Table 1 relating to the Assigned Special Tax for Developed Property within CFD No. 26, as stated in Section C.1.a.2 of the Rate and Method of Apportionment, has been modified as follows;

**TABLE 1
ASSIGNED SPECIAL TAX – DEVELOPED PROPERTY**

Land Use Class	Description	Residential Floor Area (Square Footage)	Assigned Special Tax
1	Residential Property	< 1,701	\$[] per Unit
2	Residential Property	1,701 – 1,800	\$[] per Unit
3	Residential Property	1,801 – 1,900	\$[] per Unit
4	Residential Property	1,901 – 2,000	\$[] per Unit
5	Residential Property	2,001 – 2,100	\$[] per Unit
6	Residential Property	2,101 – 2,200	\$[] per Unit
7	Residential Property	2,201 – 2,300	\$[] per Unit
8	Residential Property	2,301 – 2,400	\$[] per Unit
9	Residential Property	2,401 – 2,500	\$[] per Unit
10	Residential Property	2,501 – 2,600	\$[] per Unit
11	Residential Property	2,601 – 2,700	\$[] per Unit
12	Residential Property	2,701 – 2,800	\$[] per Unit
13	Residential Property	2,801 – 2,900	\$[] per Unit
14	Residential Property	2,901 – 3,000	\$[] per Unit
15	Residential Property	3,001 – 3,100	\$[] per Unit
16	Residential Property	3,101 – 3,200	\$[] per Unit
17	Residential Property	> 3,200	\$[] per Unit

EXHIBIT A

**CERTIFICATE OF MODIFICATION OF SPECIAL TAX
(PAGE 2 OF 3)**

	Non-Residential Property		
18	TTM 18073		\$[] per Acre
19	TTM 18074		\$[] per Acre
20	TTM 18998		\$[] per Acre

b. The Backup Special Tax for Developed Property, as stated in Section C.1.a.3, shall be modified as follows:

The Backup Special Tax shall be \$[] per Unit for Residential Property in TTM 18073, \$[] per Unit for Residential Property in TTM 18074, and \$[] per Unit for Residential Property in TTM 18998. However, if the Expected Residential Lot Count does not equal 75 for TTM 18073, 102 for TTM 18074, or 102 for TTM 18998, and the City has not issued Bonds, then the Backup Special Tax for Designated Buildable Lots of Residential Property shall be calculated according to the following formula:

$$\begin{aligned}
 \text{Backup Special Tax} &= \$[] \text{ for TTM 18073 or} \\
 &\quad \$[] \text{ for TTM 18074 or} \\
 &\quad \$[] \text{ for TTM 18998} \\
 &\times \text{ Acreage of Designated Buildable Lots} \\
 &\quad \text{of Residential Property within the} \\
 &\quad \text{applicable Tentative Tract Map} \\
 &\div \text{ Expected Residential Lot Count for} \\
 &\quad \text{Residential Property within the} \\
 &\quad \text{applicable Tentative Tract Map}
 \end{aligned}$$

EXHIBIT A

**CERTIFICATE OF MODIFICATION OF SPECIAL TAX
(PAGE 3 OF 3)**

2. The Special Tax for Developed Property may only be modified prior to the first issuance of CFD No. 26 Bonds.
3. Upon execution of this Certificate by CFD No. 26, CFD No. 26 shall cause an amended notice of Special Tax lien for CFD No. 26 to be recorded reflecting the modifications set forth herein.

Capitalized undefined terms used herein have the meanings ascribed thereto in the Rate and Method. The modifications set forth in this Certificate have been calculated by the CFD Administrator in accordance with the Rate and Method.

GOODWIN CONSULTING GROUP, INC.
CFD ADMINISTRATOR

By: _____ Date: _____

The undersigned acknowledges receipt of this certificate and of the modification of the Assigned Special Tax and the Backup Special Tax for Developed Property as set forth in this Certificate.

CITY OF ONTARIO
COMMUNITY FACILITIES DISTRICT NO. 26
(PARK PLACE FACILITIES PHASE III)

By: _____ Date: _____

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, DEEMING IT NECESSARY TO INCUR BONDED INDEBTEDNESS WITHIN THE CITY OF ONTARIO COMMUNITY FACILITIES DISTRICT NO. 26 (PARK PLACE FACILITIES PHASE III).

WHEREAS, on December 5, 2017, the City Council (the "City Council") of the City of Ontario (the "City"), pursuant to the Mello-Roos Community Facilities Act of 1982 (the "Act"), adopted a resolution entitled "A Resolution of the City Council of the City of Ontario, California, of Intention to Establish a Community Facilities District, Proposed to be Named City of Ontario Community Facilities District No. 26 (Park Place Facilities Phase III), and to Authorize the Levy of Special Taxes" stating its intention to establish City of Ontario Community Facilities District No. 26 (Park Place Facilities Phase III) (the "Community Facilities District") and to authorize the levy of special taxes within the Community Facilities District to finance certain public facilities and services; and

WHEREAS, on December 5, 2017, the City Council also adopted a resolution entitled "A Resolution of the City Council of the City of Ontario, California, to Incur Bonded Indebtedness of the Proposed City of Ontario Community Facilities District No. 26 (Park Place Facilities Phase III)" (the "Resolution to Incur Bonded Indebtedness") declaring the necessity for incurring bonded indebtedness and setting the date for a public hearing to be held on the proposed debt issue; and

WHEREAS, pursuant to the Resolution to Incur Bonded Indebtedness, notice of said public hearing was published in the *Inland Valley Daily Bulletin*, a newspaper of general circulation published in the area of the Community Facilities District, in accordance with the Act; and

WHEREAS, on this date, the City Council opened, conducted and closed said public hearing; and

WHEREAS, at said public hearing, any person interested, including persons owning property within the area and desiring to appear and present any matters material to the questions set forth in the Resolution to Incur Bonded Indebtedness appeared and presented such matters; and

WHEREAS, oral or written protests against the proposed debt issue were not made or filed at or before said public hearing by 50% or more of the registered voters, or six registered voters, whichever is more, residing within the territory proposed to be included in the Community Facilities District, or the owners of one-half or more of the area of land in the territory proposed to be included in the Community Facilities District and not exempt from the special tax; and

WHEREAS, on this date, the City Council adopted a resolution entitled "A Resolution of the City Council of the City of Ontario, California, of Formation of the City of Ontario Community Facilities District No. 26 (Park Place Facilities Phase III),

Authorizing the Levy of a Special Tax within the Community Facilities District and Establishing an Appropriations Limit for the Community Facilities District” (the “Resolution of Formation”); and

WHEREAS, the City Clerk of the City (the “City Clerk”) is the election official that will conduct the special election on the proposition to incur bonded indebtedness for the Community Facilities District; and

WHEREAS, there has been filed with the City Clerk a letter from the Registrar of Voters of the County of San Bernardino indicating that no persons were registered to vote within the territory of the proposed Community Facilities District as of December 13, 2017, and, accordingly, that 12 or more persons have not been registered to vote within the territory of the Community Facilities District for each of the 90 days preceding the close of said public hearing; and

WHEREAS, there has been filed with the City Clerk consents and waivers of all of the landowners of record in the Community Facilities District waiving any time limit specified by Section 53326 of the Act and any requirement pertaining to the conduct of said special election, including any time limit or requirement applicable to an election pursuant to Article 5 of the Act (commencing with Section 53345 of the Act), consenting to the holding of said special election on January 16, 2018, and waiving any impartial analysis, arguments or rebuttals, as set forth in Sections 53326 and 53327 of the Act; and

WHEREAS, the City Clerk has concurred in said waivers and has concurred in holding said special election on January 16, 2018.

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

SECTION 1. The foregoing recitals are true and correct.

SECTION 2. The City Council deems it necessary to incur the bonded indebtedness.

SECTION 3. The bonded indebtedness will be incurred for the purpose of financing the costs of the Facilities (as defined in the Resolution of Formation), including all costs and estimated costs incidental to, or connected with, the accomplishment of such purpose.

SECTION 4. In accordance with the previous determination of the City Council, the whole of the Community Facilities District will pay for the bonded indebtedness.

SECTION 5. The maximum aggregate amount of debt to be incurred is \$30,000,000.

SECTION 6. The maximum term the bonds to be issued shall run before maturity is 40 years.

SECTION 7. The maximum annual rate of interest to be paid shall not exceed the maximum interest rate permitted by applicable law at the time of sale of the bonds, payable semiannually or at such times as the City Council or its designee shall determine, the actual rate or rates and times of payment of such interest to be determined by the City Council or its designee at the time or times of sale of the bonds.

SECTION 8. The proposition to incur the bonded indebtedness will be submitted to the voters.

SECTION 9. The City Council hereby finds and determines that no persons were registered to vote within the territory of the proposed Community Facilities District as of December 13, 2017, and that 12 or more persons have not been registered to vote within the territory of the Community Facilities District for each of the 90 days preceding the close of the public hearings held by the City Council on the proposed debt issue for the Community Facilities District. Accordingly, pursuant to Section 53326 of the Act, the vote shall be by the landowners of the Community Facilities District and each person who is the owner of land as of the close of said public hearings, or the authorized representative thereof, shall have one vote for each acre or portion of an acre that he or she owns within the Community Facilities District not exempt from the special tax.

SECTION 10. The City Council hereby finds and determines that the qualified electors of the Community Facilities District have unanimously consented (a) to the waiver of any time limit specified by Section 53326 of the Act and any requirement pertaining to the conduct of said election, including any time limit or requirement applicable to an election pursuant to Article 5 of the Act (commencing with Section 53345 of the Act), and (b) to the holding of said election on January 16, 2018. The City Council hereby finds and determines that the City Clerk has concurred in said waivers and has concurred in holding said election on January 16, 2018.

SECTION 11. The date of the special community facilities district election (which shall be consolidated with the special district election to levy a special tax within the Community Facilities District) at which time the proposition shall be submitted to the voters is January 16, 2018.

SECTION 12. The election is to be conducted by mail ballot. The mailed ballots are required to be received in the office of the City Clerk no later than 7:30 p.m. on January 16, 2018; provided, however, that if all of the qualified electors have voted prior to such time, the election may be closed with the concurrence of the City Clerk.

SECTION 13. The officers, employees and agents of the City are hereby authorized and directed to take all actions and do all things which they, or any of them, may deem necessary or desirable to accomplish the purposes of this Resolution and not inconsistent with the provisions hereof.

SECTION 14. This Resolution shall take effect immediately upon its adoption.

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

PASSED, APPROVED, AND ADOPTED this 16th day of January 2018.

PAUL S. LEON, MAYOR

ATTEST:

SHEILA MAUTZ, CITY CLERK

APPROVED AS TO FORM:

BEST BEST & KRIEGER LLP
CITY ATTORNEY

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

I, SHEILA MAUTZ, City Clerk of the City of Ontario, DO HEREBY CERTIFY that foregoing Resolution No. 2018- was duly passed and adopted by the City Council of the City of Ontario at their regular meeting held January 16, 2018 by the following roll call vote, to wit:

AYES: COUNCIL MEMBERS:

NOES: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

SHEILA MAUTZ, CITY CLERK

(SEAL)

The foregoing is the original of Resolution No. 2018- duly passed and adopted by the Ontario City Council at their regular meeting held January 16, 2018.

SHEILA MAUTZ, CITY CLERK

(SEAL)

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, CALLING SPECIAL ELECTION FOR CITY OF ONTARIO COMMUNITY FACILITIES DISTRICT NO. 26 (PARK PLACE FACILITIES PHASE III).

WHEREAS, on this date, the City Council (the "City Council") of the City of Ontario (the "City"), pursuant to the Mello-Roos Community Facilities Act of 1982 (the "Act"), adopted a resolution entitled "A Resolution of the City Council of the City of Ontario, California, of Formation of the City of Ontario Community Facilities District No. 26 (Park Place Facilities Phase III), Authorizing the Levy of a Special Tax within the Community Facilities District and Establishing an Appropriations Limit for the Community Facilities District" (the "Resolution of Formation"), establishing City of Ontario Community Facilities District No. 26 (Park Place Facilities Phase III) (the "Community Facilities District"), authorizing the levy of a special tax within the Community Facilities District and establishing an appropriations limit for the Community Facilities District; and

WHEREAS, on this date, the City Council also adopted a resolution entitled "A Resolution of the City Council of the City of Ontario, California, Deeming it Necessary to Incur Bonded Indebtedness within the City of Ontario Community Facilities District No. 26 (Park Place Facilities Phase III)" (the "Resolution Deeming it Necessary to Incur"), deeming it necessary to incur bonded indebtedness in the maximum amount of \$30,000,000; and

WHEREAS, pursuant to the provisions of said resolutions, the propositions to incur bonded indebtedness, to levy a special tax within the Community Facilities District and to establish an appropriations limit for the Community Facilities District are to be submitted to the qualified electors of the Community Facilities District as required by the Act; and

WHEREAS, the City Council desires to designate the City Clerk of the City (the "City Clerk") as the election official for the special election provided for herein; and

WHEREAS, there has been filed with the City Clerk a letter from the Registrar of Voters of the County of San Bernardino indicating that no persons were registered to vote within the territory of the proposed Community Facilities District as of December 13, 2017, and, accordingly, that 12 or more persons have not been registered to vote within the territory of the Community Facilities District for each of the 90 days preceding the close of the public hearings on the establishment of the Community Facilities District and the proposed debt issue for the Community Facilities District; and

WHEREAS, there has been filed with the City Clerk consents and waivers of all of the landowners of record in the Community Facilities District waiving any time limit specified by Section 53326 of the Act and any requirement pertaining to the conduct of said special election, including any time limit or requirement applicable to an election pursuant to Article 5 of the Act (commencing with Section 53345 of the Act), consenting to the holding of said special election on January 16, 2018 and waiving any impartial analysis, arguments or rebuttals, as set forth in Sections 53326 and 53327 of the Act; and

WHEREAS, the City Clerk has concurred in said waivers and has concurred in holding said special election on January 16, 2018.

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

SECTION 1. Pursuant to Sections 53351, 53326 and 53325.7 of the Act, the propositions to incur bonded indebtedness, to levy a special tax within the Community Facilities District and to establish an appropriations limit for the Community Facilities District shall be submitted to the qualified electors of the Community Facilities District at an election called therefor as provided below.

SECTION 2. The City Clerk is hereby designated as the official to conduct said election.

SECTION 3. As authorized by Section 53353.5 of the Act, the propositions to incur bonded indebtedness, to levy a special tax within the Community Facilities District and to establish an appropriations limit for the Community Facilities District shall be combined into one ballot proposition.

SECTION 4. The City Council hereby finds and determines that no persons were registered to vote within the territory of the proposed Community Facilities District as of December 13, 2017, and that 12 or more persons have not been registered to vote within the territory of the Community Facilities District for each of the 90 days preceding the close of the public hearings heretofore held by the City Council on the establishment of the Community Facilities District and the proposed debt issue for the Community Facilities District. Accordingly, pursuant to Section 53326 of the Act, the vote shall be by the landowners of the Community Facilities District and each person who is the owner of land as of the close of said public hearings, or the authorized representative thereof, shall have one vote for each acre or portion of an acre that he or she owns within the Community Facilities District not exempt from the special tax.

SECTION 5. The City Council hereby finds and determines that the qualified electors of the Community Facilities District have unanimously consented (a) to the waiver of any time limit specified by Section 53326 of the Act and any requirement pertaining to the conduct of said election, including any time limit or requirement applicable to an election pursuant to Article 5 of the Act (commencing with Section 53345 of the Act), (b) to the holding of said election on January 16, 2018, and (c) to the waiver of any impartial analysis, arguments or rebuttals, as set forth in Sections 53326 and 53327 of the Act. The City Council hereby finds and determines that the City Clerk has concurred in said waivers and has concurred in holding said election on January 16, 2018.

SECTION 6. The City Council hereby calls a special election to submit to the qualified electors of the Community Facilities District the combined proposition to incur bonded indebtedness, to levy a special tax within the Community Facilities District and to establish an appropriations limit for the Community Facilities District, which election shall be held at 303 East B Street, Ontario, California, on January 16, 2018. The City Council has

caused to be provided to the City Clerk, as the official to conduct said election, the Resolution of Formation, the Resolution of Deeming it Necessary to Incur, a certified map of sufficient scale and clarity to show the boundaries of the Community Facilities District, and a sufficient description to allow the City Clerk to determine the boundaries of the Community Facilities District.

The voted ballots shall be returned to the City Clerk not later than 7:30 p.m. on January 16, 2018; provided, however, that if all of the qualified electors have voted prior to such time, the election may be closed with the concurrence of the City Clerk.

SECTION 7. Pursuant to Section 53326 of the Act, the election shall be conducted by mail or hand-delivered ballot pursuant to Section 4000 *et. seq.* of the California Elections Code. Except as otherwise provided in the Act, the provisions of law regulating elections of the City, insofar as they may be applicable, will govern the election.

SECTION 8. The form of the ballot for said election is attached hereto as Exhibit A and by this reference incorporated herein, and such form of ballot is hereby approved. The City Clerk shall cause to be delivered to each of the qualified electors of the Community Facilities District a ballot in said form. Each ballot shall indicate the number of votes to be voted by the respective landowner to which it pertains.

Each ballot shall be accompanied by all supplies and written instructions necessary for the use and return of the ballot. The identification envelope for return of the ballot shall be enclosed with the ballot, shall have the return postage prepaid, and shall contain: (a) the name and address of the landowner, (b) a declaration, under penalty of perjury, stating that the voter is the owner of record or the authorized representative of the landowner entitled to vote and is the person whose name appears on the identification envelope, (c) the printed name, signature and address of the voter, (d) the date of signing and place of execution of the declaration described in clause (b) above, and (e) a notice that the envelope contains an official ballot and is to be opened only by the canvassing board.

Analysis and arguments with respect to the ballot proposition are hereby waived, as provided in Section 53327 of the Act.

SECTION 9. The City Clerk shall accept the ballots of the qualified electors in the office of the City Clerk at 303 East B Street, Ontario, California, to and including 7:30 p.m. on January 16, 2018, whether said ballots be personally delivered or received by mail. The City Clerk shall have available ballots which may be marked at said location on the election day by said qualified electors.

SECTION 10. The City Council hereby determines that the facilities and services financed by the Community Facilities District are necessary to meet increased demands placed upon local agencies as a result of development occurring in the Community Facilities District.

SECTION 11. The specific purposes of the bonded indebtedness proposed to be incurred is the financing of the Facilities (as defined in the Resolution of Formation), including all costs and estimated costs incidental to, or connected with, the

accomplishment of such purpose, and the proceeds of such bonded indebtedness shall be applied only to such specific purposes.

Upon approval of the proposition to incur bonded indebtedness, and the sale of any bonds evidencing such indebtedness, the City Council shall take such action as may be necessary to cause to be established an account for deposit of the proceeds of sale of the bonds. For so long as any proceeds of the bonds remain unexpended, the Management Analyst, Management Services of the City shall cause to be filed with the City Council, no later than January 1 of each year, a report stating (a) the amount of bond proceeds received and expended during the preceding year, and (b) the status of any project funded or to be funded from bond proceeds. Said report may relate to the calendar year, fiscal year, or other appropriate annual period, as the Management Analyst, Management Services of the City shall determine, and may be incorporated into the annual budget, audit, or other appropriate routine report to the City Council.

SECTION 12. The officers, employees and agents of the City are hereby authorized and directed to take all actions and do all things which they, or any of them, may deem necessary or desirable to accomplish the purposes of this Resolution and not inconsistent with the provisions hereof.

SECTION 13. This Resolution shall take effect immediately upon its adoption.

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

PASSED, APPROVED, AND ADOPTED this 16th day of January 2018.

PAUL S. LEON, MAYOR

ATTEST:

SHEILA MAUTZ, CITY CLERK

APPROVED AS TO FORM:

BEST BEST & KRIEGER LLP
CITY ATTORNEY

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

I, SHEILA MAUTZ, City Clerk of the City of Ontario, DO HEREBY CERTIFY that foregoing Resolution No. 2018- was duly passed and adopted by the City Council of the City of Ontario at their regular meeting held January 16, 2018 by the following roll call vote, to wit:

AYES: COUNCIL MEMBERS:

NOES: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

SHEILA MAUTZ, CITY CLERK

(SEAL)

The foregoing is the original of Resolution No. 2018- duly passed and adopted by the Ontario City Council at their regular meeting held January 16, 2018.

SHEILA MAUTZ, CITY CLERK

(SEAL)

EXHIBIT A

OFFICIAL BALLOT

CITY OF ONTARIO

January 16, 2018

SPECIAL ELECTION

This ballot is for a special, landowner election. The number of votes to be voted pursuant to this ballot is ____.

INSTRUCTIONS TO VOTERS:

To vote on the measure, mark a cross (+) in the voting square after the word "YES" or after the word "NO". All distinguishing marks or erasures are forbidden and make the ballot void. If you wrongly mark, tear, or deface this ballot, return it to the City Clerk of the City of Ontario and obtain another.

CITY OF ONTARIO
COMMUNITY FACILITIES DISTRICT NO. 26
(PARK PLACE FACILITIES PHASE III)

MEASURE SUBMITTED TO VOTE OF VOTERS: Shall the City of Ontario Community Facilities District No. 26 (Park Place Facilities Phase III) (the "Community Facilities District") be authorized to incur bonded indebtedness in a maximum aggregate amount of not to exceed \$30,000,000 and levy a special tax in order to finance certain facilities and services and shall the annual appropriations limit of the Community Facilities District be established in the amount of \$30,000,000, all as specified in the Resolution entitled "A Resolution of the City Council of the City of Ontario, California, of Formation of the City of Ontario Community Facilities District No. 26 (Park Place Facilities Phase III), Authorizing the Levy of a Special Tax within the Community Facilities District and Establishing an Appropriations Limit for the Community Facilities District" and the Resolution entitled "A Resolution of the City Council of the City of Ontario, California, Deeming it Necessary to Incur Bonded Indebtedness within City of Ontario Community Facilities District No. 26 (Park Place Facilities Phase III)," each adopted by the City Council of the City of Ontario on January 16, 2018?

Yes:

No:

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO,
CALIFORNIA, DECLARING RESULTS OF SPECIAL ELECTION AND
DIRECTING RECORDING OF NOTICE OF SPECIAL TAX LIEN.

WHEREAS, on January 16, 2018, the City Council (the "City Council") of the City of Ontario (the "City"), pursuant to the Mello-Roos Community Facilities Act of 1982 (the "Act"), adopted a resolution entitled "A Resolution of the City Council of the City of Ontario, California, Calling Special Election for City of Ontario Community Facilities District No. 26 (Park Place Facilities Phase III)" (the "Resolution Calling Election"), calling for a special election of the qualified electors within City of Ontario Community Facilities District No. 26 (Park Place Facilities Phase III) (the "Community Facilities District"); and

WHEREAS, pursuant to the terms of the Resolution Calling Election and the provisions of the Act, the special election was held on January 16, 2018; and

WHEREAS, the City Clerk of the City (the "City Clerk") has certified the canvass of the returns of the election and has filed a Canvass and Statement of Results of Election (the "Canvass"), a copy of which is attached hereto as Exhibit A.

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

SECTION 1. The City Council has received, reviewed and hereby accepts the Canvass.

SECTION 2. The City Council hereby finds and declares that the ballot proposition submitted to the qualified electors of the Community Facilities District pursuant to the Resolution Calling Election has been passed and approved by such electors in accordance with Section 53328, Section 53355 and Section 53325.7 of the Act.

SECTION 3. The City Clerk is hereby directed to execute and cause to be recorded in the office of the County Recorder of the County of San Bernardino a notice of special tax lien in the form required by the Act, said recording to occur no later than fifteen days following adoption by the City Council of this Resolution.

SECTION 4. The officers, employees and agents of the City are hereby authorized and directed to take all actions and do all things which they, or any of them, may deem necessary or desirable to accomplish the purposes of this Resolution and not inconsistent with the provisions hereof.

SECTION 5. This Resolution shall take effect immediately upon its adoption.

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

PASSED, APPROVED, AND ADOPTED this 16th day of January 2018.

PAUL S. LEON, MAYOR

ATTEST:

SHEILA MAUTZ, CITY CLERK

APPROVED AS TO FORM:

BEST BEST & KRIEGER LLP
CITY ATTORNEY

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

I, SHEILA MAUTZ, City Clerk of the City of Ontario, DO HEREBY CERTIFY that foregoing Resolution No. 2018- was duly passed and adopted by the City Council of the City of Ontario at their regular meeting held January 16, 2018 by the following roll call vote, to wit:

AYES: COUNCIL MEMBERS:

NOES: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

SHEILA MAUTZ, CITY CLERK

(SEAL)

The foregoing is the original of Resolution No. 2018- duly passed and adopted by the Ontario City Council at their regular meeting held January 16, 2018.

SHEILA MAUTZ, CITY CLERK

(SEAL)

EXHIBIT A

CITY OF ONTARIO
COMMUNITY FACILITIES DISTRICT NO. 26
(PARK PLACE FACILITIES PHASE III)

CANVASS AND STATEMENT OF RESULTS OF ELECTION

I hereby certify that on January 16, 2018, I canvassed the returns of the special election held on January 16, 2018, for the City of Ontario Community Facilities District No. 26 (Park Place Facilities Phase III), that the total number of ballots cast in said Community Facilities District and the total number of votes cast for and against the proposition are as follows and that the totals as shown for and against the proposition are true and correct:

	Qualified Landowner <u>Votes</u>	Votes <u>Cast</u>	<u>YES</u>	<u>NO</u>
City of Ontario Community Facilities District No. 26 (Park Place Facilities Phase III) Special Election, January 16, 2018	34	—	—	—

MEASURE SUBMITTED TO VOTE OF VOTERS: Shall the City of Ontario Community Facilities District No. 26 (Park Place Facilities Phase III) (the "Community Facilities District") be authorized to incur bonded indebtedness in a maximum aggregate amount of not to exceed \$30,000,000 and levy a special tax in order to finance certain facilities and services and shall the annual appropriations limit of the Community Facilities District be established in the amount of \$30,000,000, all as specified in the Resolution entitled "A Resolution of the City Council of the City of Ontario, California, of Formation of the City of Ontario Community Facilities District No. 26 (Park Place Facilities Phase III), Authorizing the Levy of a Special Tax within the Community Facilities District and Establishing an Appropriations Limit for the Community Facilities District" and the Resolution entitled "A Resolution of the City Council of the City of Ontario, California, Deeming it Necessary to Incur Bonded Indebtedness within the City of Ontario Community Facilities District No. 26 (Park Place Facilities Phase III)," each adopted by the City Council of the City of Ontario on January 16, 2018?

IN WITNESS WHEREOF, I HAVE HEREUNTO SET MY HAND this 16th day of January, 2018.

BY: _____
SHEILA MAUTZ, CITY CLERK

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, LEVYING SPECIAL TAXES WITHIN THE CITY OF ONTARIO COMMUNITY FACILITIES DISTRICT NO. 26 (PARK PLACE FACILITIES PHASE III).

WHEREAS, on December 5, 2017, the City Council (the "City Council") of the City of Ontario (the "City"), pursuant to the Mello-Roos Community Facilities Act of 1982 (the "Act"), adopted a resolution entitled "A Resolution of the City Council of the City of Ontario, California, of Intention to Establish a Community Facilities District, Proposed to be Named City of Ontario Community Facilities District No. 26 (Park Place Facilities Phase III), and to Authorize the Levy of Special Taxes" stating its intention to establish City of Ontario Community Facilities District No. 26 (Park Place Facilities Phase III) (the "Community Facilities District") and to finance certain public facilities (the "Facilities") and services (the "Services"); and

WHEREAS, on January 16, 2018, the City Council held a noticed public hearing on the establishment of the Community Facilities District, as required by the Act; and

WHEREAS, subsequent to the close of said hearing, the City Council adopted resolutions entitled "A Resolution of the City Council of the City of Ontario, California, of Formation of the City of Ontario Community Facilities District No. 26 (Park Place Facilities Phase III), Authorizing the Levy of a Special Tax within the Community Facilities District and Establishing an Appropriations Limit for the Community Facilities District" (the "Resolution of Formation"), "A Resolution of the City Council of the City of Ontario, California, Deeming it Necessary to Incur Bonded Indebtedness within the City of Ontario Community Facilities District No. 26 (Park Place Facilities Phase III)" and "A Resolution of the City Council of the City of Ontario, California, Calling Special Election for City of Ontario Community Facilities District No. 26 (Park Place Facilities Phase III)", which resolutions established the Community Facilities District, authorized the levy of a special tax within the Community Facilities District and called an election within the Community Facilities District on the proposition of incurring indebtedness, levying a special tax within the Community Facilities District and establishing an appropriations limit for the Community Facilities District, respectively; and

WHEREAS, on January 16, 2018, an election was held in which the qualified electors of the Community Facilities District approved said proposition by more than the two-thirds vote required by the Act.

THE CITY COUNCIL OF THE CITY OF ONTARIO DOES ORDAIN AS FOLLOWS:

SECTION 1. The City Council hereby authorizes and levies special taxes within the Community Facilities District pursuant to Sections 53328 and 53340 of the Act, at the rate and in accordance with the method of apportionment set forth in Exhibit B to the Resolution of Formation (the "Rate and Method of Apportionment"). The special taxes are hereby levied commencing in fiscal year 2018-19 and in each fiscal year thereafter until the last fiscal year in which such special taxes are authorized to be levied pursuant to the Rate and Method of Apportionment.

SECTION 2. The City Council may, in accordance with subdivision (b) of Section 53340 of the Act, provide, by resolution, for the levy of the special tax in future tax years at the same rate or at a lower rate than the rate provided by this Ordinance. In no event shall the special tax be levied on any parcel within the Community Facilities District in excess of the maximum tax specified therefor in the Rate and Method of Apportionment.

SECTION 3. The special tax shall be levied on all of the parcels in the Community Facilities District, unless exempted by law or by the Rate and Method of Apportionment.

SECTION 4. The proceeds of the special tax shall only be used to pay, in whole or in part, the cost of providing the Facilities and Services and incidental expenses pursuant to the Act.

SECTION 5. The special tax shall be collected in the same manner as ordinary *ad valorem* property taxes are collected and shall be subject to the same penalties and the same procedure, sale and lien priority in the case of delinquency as is provided for *ad valorem* taxes, unless another procedure is adopted by the City Council.

SECTION 6. If for any reason any portion of this Ordinance is found to be invalid, or if the special tax is found inapplicable to any particular parcel within the Community Facilities District, by a court of competent jurisdiction, the balance of this Ordinance and the application of the special tax to the remaining parcels within the Community Facilities District shall not be affected.

SECTION 7. The Mayor shall sign this Ordinance and the City Clerk shall certify as to the adoption and shall cause a summary thereof to be published at least once, in a newspaper of general circulation in the City of Ontario, California within fifteen (15) days of the adoption. The City Clerk shall post a certified copy of this ordinance, including the vote for and against the same, in the Office of the City Clerk, in accordance with Government Code Section 36933.

PASSED, APPROVED, AND ADOPTED this _____ day of _____ 2018.

PAUL S. LEON, MAYOR

ATTEST:

SHEILA MAUTZ, CITY CLERK

APPROVED AS TO FORM:

BEST BEST & KRIEGER LLP
CITY ATTORNEY

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

I, SHEILA MAUTZ, 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 January 16, 2018 and adopted at the regular meeting held _____, 2018 by the following roll call vote, to wit:

AYES: COUNCIL MEMBERS:

NOES: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

SHEILA MAUTZ, CITY CLERK

(SEAL)

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

SHEILA MAUTZ, CITY CLERK

(SEAL)

CITY OF ONTARIO

Agenda Report
January 16, 2018

SECTION:
ADMINISTRATIVE REPORTS/
DISCUSSION/ACTION

SUBJECT: A RESOLUTION AUTHORIZING THE ISSUANCE OF SPECIAL TAX BONDS FOR COMMUNITY FACILITIES DISTRICT NO. 34 (COUNTRYSIDE PHASE 1 NORTH - FACILITIES)

RECOMMENDATION: That the City Council adopt a resolution authorizing the issuance of special tax bonds for Community Facilities District No. 34 (Countryside Phase 1 North - Facilities). The resolution:

- (A) Authorizes the issuance of special tax bonds for public improvements required to facilitate the development of the Countryside Phase 1 North - Facilities project;
- (B) Approves the forms of the Indenture of Trust, the Bond Purchase Agreement, the Continuing Disclosure Agreement, and the Preliminary Official Statement;
- (C) Authorizes a negotiated sale of the special tax bonds to Stifel, Nicolaus & Company, Incorporated. (the "Underwriter") in accordance with the terms of the Bond Purchase Agreement; and
- (D) Authorizes the execution of the Indenture of Trust, the Bond Purchase Agreement, the Continuing Disclosure Agreement, and the Preliminary Official Statement by the City Manager, or his designee.


COUNCIL GOALS: Operate in a Businesslike Manner

Invest in the City's Infrastructure (Water, Streets, Sewers, Storm Drains and Public Facilities)

Ensure the Development of a Well Planned, Balanced and Self-Sustaining Community in Ontario Ranch

FISCAL IMPACT: The use of Mello-Roos financing for public facilities in the residential development of the Countryside Phase 1 North - Facilities project is estimated to generate approximately \$8 million, based on current market interest rates, which will be used to help fund a portion of the public

STAFF MEMBER PRESENTING: Grant D. Yee, Administrative Service/Finance Director

Prepared by: Bob Chandler
Department: Management Services
City Manager Approval: 

Submitted to Council/O.H.A. 01/16/2018
Approved: _____
Continued to: _____
Denied: _____

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infrastructure improvements that will serve the project. The resolution authorizing the issuance of special tax bonds for Community Facilities District No. 34 (“District”) limits the principal amount of the bonds to \$9 million. The City expects the bonds to be sold no later than February of 2018. Since Mello-Roos bonds are not a direct obligation of the City, and are paid from special taxes levied on each taxable parcel in the district, there is no General Fund impact from the issuance of Mello-Roos bonds.

BACKGROUND: The Mello-Roos Community Facilities Act of 1982 provided local government, with the consent from a majority of the property owners, the authority to establish community facilities districts for the purpose of levying special taxes to fund governmental services and to finance various kinds of public infrastructure facilities. Under the Mello-Roos Act, the initial steps in the formation of a community facilities district to finance public improvements are adopting a resolution declaring the City’s intention to establish a community facilities district and levy special taxes, and a resolution to issue bonds.

On October 20, 2015, the City Council, in accordance with the Mello-Roos Act, took the initial steps in the formation of the District with the adoption of Resolution No. 2015-0109, declaring the City’s intention to establish the District and to authorize the levy of special taxes. On December 1, 2015, the City Council adopted Resolution No. 2015-135 establishing the formation of the District and Resolution No. 2015-136 deeming it necessary to incur bonded indebtedness. Upon a successful property owner election, the City Council adopted Ordinance No. 3036 on December 15, 2015, authorizing the levy of special taxes for the District to finance public improvements related to the Countryside Phase 1 North - Facilities project. The Countryside Phase 1 North - Facilities project addresses the residential development of approximately 29 taxable acres located East of the Cucamonga Creek Channel, generally west of Archibald Avenue, south of Riverside Avenue and north of Chino Avenue. At build out, the development is projected to include 226 single-family units.

The proposed resolution references several bond documents and other matters related to the proposed issuance of bonds for the District. These documents are listed below and are on file with the Records Management Department.

- Indenture of Trust
- Bond Purchase Agreement
- Continuing Disclosure Agreement for the Bonds
- Preliminary Official Statement for the Bonds

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, AUTHORIZING THE ISSUANCE OF CITY OF ONTARIO COMMUNITY FACILITIES DISTRICT NO. 34 (COUNTRYSIDE PHASE 1 NORTH - FACILITIES) SPECIAL TAX BONDS, SERIES 2018, IN AN AGGREGATE PRINCIPAL AMOUNT OF NOT TO EXCEED \$9,000,000, AUTHORIZING THE EXECUTION AND DELIVERY OF AN INDENTURE, A BOND PURCHASE AGREEMENT AND A CONTINUING DISCLOSURE AGREEMENT, AUTHORIZING THE DISTRIBUTION OF AN OFFICIAL STATEMENT IN CONNECTION THEREWITH AND AUTHORIZING THE EXECUTION OF NECESSARY DOCUMENTS AND CERTIFICATES AND RELATED ACTIONS.

WHEREAS, the City Council (the "City Council") of the City of Ontario (the "City") has formed the City of Ontario Community Facilities District No. 34 (Countryside Phase 1 North - Facilities) (the "Community Facilities District") under the provisions of the Mello-Roos Community Facilities Act of 1982 (the "Act"); and

WHEREAS, the Community Facilities District is authorized under the Act to levy special taxes (the "Special Taxes") to pay for the costs of certain public facilities (the "Facilities") and to issue bonds payable from the Special Taxes; and

WHEREAS, in order to provide funds to finance certain of the Facilities, the Community Facilities District proposes to issue its City of Ontario Community Facilities District No. 34 (Countryside Phase 1 North - Facilities) Special Tax Bonds, Series 2018 (the "Series 2018 Bonds"), in the aggregate principal amount of not to exceed \$9,000,000; and

WHEREAS, in order to provide for the authentication and delivery of the Series 2018 Bonds, to establish and declare the terms and conditions upon which the Series 2018 Bonds are to be issued and secured and to secure the payment of the principal thereof, premium, if any, and interest thereon, the Community Facilities District proposes to enter into an Indenture with ZB, National Association dba Zions Bank, as trustee (the "Trustee") (such Indenture, in the form presented to this meeting, with such changes, insertions and omissions as are made pursuant to this Resolution, being referred to herein as the "Indenture"); and

WHEREAS, Stifel, Nicolaus & Company, Incorporated (the "Underwriter"), has presented the Community Facilities District with a proposal, in the form of a Bond Purchase Agreement, to purchase the Series 2018 Bonds from the Community Facilities District (such Bond Purchase Agreement, in the form presented to this meeting, with such changes, insertions and omissions as are made pursuant to this Resolution, being referred to herein as the "Purchase Agreement"); and

WHEREAS, Rule 15c2-12 promulgated under the Securities Exchange Act of 1934 (“Rule 15c2-12”) requires that, in order to be able to purchase or sell the Series 2018 Bonds, the underwriter thereof must have reasonably determined that the Community Facilities District has, or one or more appropriate obligated persons have, undertaken in a written agreement or contract for the benefit of the holders of the Series 2018 Bonds to provide disclosure of certain financial information and certain listed events on an ongoing basis; and

WHEREAS, in order to cause such requirement to be satisfied, the Community Facilities District desires to enter into a Continuing Disclosure Agreement with the Trustee (such Continuing Disclosure Agreement, in the form presented to this meeting, with such changes, insertions and omissions as are made pursuant to this Resolution, being referred to herein as the “Continuing Disclosure Agreement”); and

WHEREAS, a form of the Preliminary Official Statement to be distributed in connection with the public offering of the Series 2018 Bonds has been prepared (such Preliminary Official Statement, in the form presented to this meeting, with such changes, insertions and omissions as are made pursuant to this Resolution, being referred to herein as the “Preliminary Official Statement”); and

WHEREAS, there have been prepared and submitted to this meeting forms of:

- (a) the Indenture;
- (b) the Purchase Agreement;
- (c) the Continuing Disclosure Agreement; and
- (d) the Preliminary Official Statement; and

WHEREAS, Harris Realty Appraisal has prepared and provided to the Community Facilities District an appraisal report, dated November 3, 2017 (the “Appraisal”), providing an opinion of value of the property in the Community Facilities District, which has been submitted to this meeting; and

WHEREAS, Senate Bill 450 (Chapter 625 of the 2017-2018 Session of the California Legislature) (“SB 450”) requires that the City Council obtain from an underwriter, financial advisor or private lender and disclose, in a meeting open to the public, prior to authorization of the issuance of the Series 2018 Bonds, good faith estimates of (a) the true interest cost of the Series 2018 Bonds, (b) the sum of all fees and charges paid to third parties with respect to the Series 2018 Bonds, (c) the amount of proceeds of the Series 2018 Bonds expected to be received net of the fees and charges paid to third parties and any reserves or capitalized interest paid or funded with proceeds of the Series 2018 Bonds, and (d) the sum total of all debt service payments on the Series 2018 Bonds calculated to the final maturity of the Series 2018 Bonds plus the fees and charges paid to third parties not paid with the proceeds of the Series 2018 Bonds; and

WHEREAS, in compliance with SB 450, the City Council has obtained from CSG Advisors Incorporated, as the Community Facilities District’s financial advisor (the “Financial Advisor”) and the Underwriter the required good faith estimates and such estimates are disclosed and set forth in Exhibit A attached hereto; and

WHEREAS, the Community Facilities District desires to proceed to issue and sell the Series 2018 Bonds and to authorize the execution of such documents and the performance of such acts as may be necessary or desirable to effect the offering, sale and issuance of the Series 2018 Bonds; and

WHEREAS, the City Council is the legislative body of the Community Facilities District; and

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

SECTION 1. The foregoing recitals are true and correct.

SECTION 2. Subject to the provisions of Section 3 hereof, the issuance of the Series 2018 Bonds, in an aggregate principal amount of not to exceed \$9,000,000, on the terms and conditions set forth in, and subject to the limitations specified in, the Indenture, be and the same is hereby authorized and approved. The Series 2018 Bonds shall be dated, shall bear interest at the rates, shall mature on the dates, shall be subject to call and redemption, shall be issued in the form and shall be as otherwise provided in the Indenture, as the same shall be completed as provided in this Resolution.

SECTION 3. The Indenture, in substantially the form submitted to this meeting and made a part hereof as though set forth herein, be and the same is hereby approved. Each of the Mayor of the City, and such other member of the City Council as the Mayor may designate, the City Manager of the City and the Administrative Services/Finance Director of the City, and such other officer or employee of the City as the City Manager may designate (the "Authorized Officers") is hereby authorized, and any one of the Authorized Officers is hereby directed, for and in the name of the Community Facilities District, to execute and deliver the Indenture in the form submitted to this meeting, with such changes, insertions and omissions as the Authorized Officer executing the same may require or approve, such requirement or approval to be conclusively evidenced by the execution of the Indenture by such Authorized Officer; provided, however, that such changes, insertions and omissions shall not authorize an aggregate principal amount of Series 2018 Bonds in excess of \$9,000,000, shall not result in a final maturity date of the Series 2018 Bonds later than September 1, 2048 and shall not result in a true interest cost for the Series 2018 Bonds in excess of 6.50%.

SECTION 4. The Purchase Agreement, in substantially the form submitted to this meeting and made a part hereof as though set forth in full herein, be and the same is hereby approved. Each of the Authorized Officers is hereby authorized, and any one of the Authorized Officers is hereby directed, for and in the name of the Community Facilities District, to execute and deliver the Purchase Agreement in the form presented to this meeting, with such changes, insertions and omissions as the Authorized Officer executing the same may require or approve, such requirement or approval to be conclusively evidenced by the execution of the Purchase Agreement by such Authorized Officer; provided, however, that such changes, insertions and omissions

shall not result in an aggregate underwriter's discount (not including any original issue discount) from the principal amount of the Series 2018 Bonds in excess of 1.50% of the aggregate principal amount of the Series 2018 Bonds. The City Council hereby finds and determines that the sale of the Series 2018 Bonds at negotiated sale as contemplated by the Purchase Agreement will result in a lower overall cost.

SECTION 5. The Continuing Disclosure Agreement, in substantially the form submitted to this meeting and made a part hereof as though set forth in full herein, be and the same is hereby approved. Each of the Authorized Officers is hereby authorized, and any one of the Authorized Officers is hereby directed, for and in the name of the Community Facilities District, to execute and deliver the Continuing Disclosure Agreement in the form presented to this meeting, with such changes, insertions and omissions as the Authorized Officer executing the same may require or approve, such requirement or approval to be conclusively evidenced by the execution of the Continuing Disclosure Agreement by such Authorized Officer.

SECTION 6. The Preliminary Official Statement, in substantially the form presented to this meeting and made a part hereof as though set forth in full herein, with such changes, insertions and omissions therein as may be approved by an Authorized Officer, be and the same is hereby approved, and the use of the Preliminary Official Statement in connection with the offering and sale of the Series 2018 Bonds is hereby authorized and approved. The Authorized Officers are each hereby authorized to certify on behalf of the Community Facilities District that the Preliminary Official Statement is deemed final as of its date, within the meaning of Rule 15c2-12 (except for the omission of certain final pricing, rating and related information as permitted by Rule 15c2-12).

SECTION 7. The preparation and delivery of a final Official Statement (the "Official Statement"), and its use in connection with the offering and sale of the Series 2018 Bonds, be and the same is hereby authorized and approved. The Official Statement shall be in substantially the form of the Preliminary Official Statement, with such changes, insertions and omissions as may be approved by an Authorized Officer, such approval to be conclusively evidenced by the execution and delivery thereof. Each of the Authorized Officers is hereby authorized, and any one of the Authorized Officers is hereby directed, for and in the name of the Community Facilities District, to execute the final Official Statement and any amendment or supplement thereto.

SECTION 8. Based upon the property values within the Community Facilities District reported in the Appraisal and the value-to-lien information set forth in the Preliminary Official Statement, the City Council, for purposes of Section 53345.8 of the Act, hereby finds and determines that the value of the real property that would be subject to the Special Tax to pay debt service on the Series 2018 Bonds will be at least three times the principal amount of the Series 2018 Bonds to be sold and the principal amount of all other bonds outstanding that are secured by a special tax levied pursuant to the Act on property within the Community Facilities District or a special assessment levied on property within the Community Facilities District.

SECTION 9. The officers, employees and agents of the City are hereby authorized and directed to take all actions and do all things which they, or any of them, may deem necessary or desirable to accomplish the purposes of this Resolution and not inconsistent with the provisions hereof.

SECTION 10. This Resolution shall take effect immediately upon its adoption.

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

PASSED, APPROVED, AND ADOPTED this 16th day of January 2018.

PAUL S. LEON, MAYOR

ATTEST:

SHEILA MAUTZ, CITY CLERK

APPROVED AS TO FORM:

BEST BEST & KRIEGER LLP
CITY ATTORNEY

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

I, SHEILA MAUTZ, City Clerk of the City of Ontario, DO HEREBY CERTIFY that foregoing Resolution No. 2018- was duly passed and adopted by the City Council of the City of Ontario at their regular meeting held January 16, 2018 by the following roll call vote, to wit:

AYES: COUNCIL MEMBERS:

NOES: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

SHEILA MAUTZ, CITY CLERK

(SEAL)

The foregoing is the original of Resolution No. 2018- duly passed and adopted by the Ontario City Council at their regular meeting held January 16, 2018.

SHEILA MAUTZ, CITY CLERK

(SEAL)

EXHIBIT A

GOOD FAITH ESTIMATES

The good faith estimates set forth herein are provided with respect to the Series 2018 Bonds in accordance with California Government Code Section 5852.1. Such good faith estimates have been provided to the Community Facilities District by CSG Advisors Incorporated, the Community Facilities District's financial advisor (the "Financial Advisor").

Principal Amount. The Financial Advisor has informed the Community Facilities District that, based on the Community Facilities District's financing plan and current market conditions, its good faith estimate of the aggregate principal amount of the Series 2018 Bonds to be sold is \$8,220,000 (the "Estimated Principal Amount").

True Interest Cost of the Series 2018 Bonds. The Financial Advisor has informed the Community Facilities District that, assuming that the Estimated Principal Amount of the Series 2018 Bonds is sold, and based on market interest rates prevailing at the time of preparation of such estimate, its good faith estimate of the true interest cost of the Series 2018 Bonds, which means the rate necessary to discount the amounts payable on the respective principal and interest payment dates to the purchase price received for the Series 2018 Bonds, is 3.73%.

Finance Charge of the Series 2018 Bonds. The Financial Advisor has informed the Community Facilities District that, assuming that the Estimated Principal Amount of the Series 2018 Bonds is sold, and based on market interest rates prevailing at the time of preparation of such estimate, its good faith estimate of the finance charge for the Series 2018 Bonds, which means the sum of all fees and charges paid to third parties (or costs associated with the Series 2018 Bonds), is \$416,000.

Amount of Proceeds to be Received. The Financial Advisor has informed the Community Facilities District that, assuming that the Estimated Principal Amount of the Series 2018 Bonds is sold, and based on market interest rates prevailing at the time of preparation of such estimate, its good faith estimate of the amount of proceeds expected to be received by the Community Facilities District for sale of the Series 2018 Bonds, less the finance charge of the Series 2018 Bonds, as estimated above, and any reserves or capitalized interest paid or funded with proceeds of the Series 2018 Bonds, is \$7,312,000.

Total Payment Amount. The Financial Advisor has informed the Community Facilities District that, assuming that the Estimated Principal Amount of the Series 2018 Bonds is sold, and based on market interest rates prevailing at the time of preparation of such estimate, its good faith estimate of the total payment amount, which means the sum total of all payments the Community Facilities District will make to pay debt service on the Series 2018 Bonds, plus the finance charge for the Series 2018 Bonds, as described above, not paid with the proceeds of the Series 2018 Bonds, calculated to the final maturity of the Series 2018 Bonds, is \$13,754,000.

The foregoing estimates constitute good faith estimates only and are based on market conditions prevailing at the time of preparation of such estimates. The actual principal amount of the Series 2018 Bonds issued and sold, the true interest cost thereof, the finance charges thereof, the amount of proceeds received therefrom and total payment amount with respect thereto may differ from such good faith estimates due to (a) the actual date of the sale of the Series 2018 Bonds being different than the date assumed for purposes of such estimates, (b) the actual principal amount of Series 2018 Bonds sold being different from the Estimated Principal Amount, (c) the actual amortization of the Series 2018 Bonds being different than the amortization assumed for purposes of such estimates, (d) the actual market interest rates at the time of sale of the Series 2018 Bonds being different than those estimated for purposes of such estimates, (e) other market conditions, or (f) alterations in the Community Facilities District's financing plan, or a combination of such factors. The actual date of sale of the Series 2018 Bonds and the actual principal amount of Series 2018 Bonds sold will be determined by the Community Facilities District based on the timing of the need for proceeds of the Series 2018 Bonds and other factors. The actual interest rates borne by the Series 2018 Bonds will depend on market interest rates at the time of sale thereof. The actual amortization of the Series 2018 Bonds will also depend, in part, on market interest rates at the time of sale thereof. Market interest rates are affected by economic and other factors beyond the control of the Community Facilities District.