

CITY OF ONTARIO
CITY COUNCIL AND HOUSING AUTHORITY
AGENDA
JUNE 20, 2017

Paul S. Leon
Mayor

Debra Dorst-Porada
Mayor pro Tem

Alan D. Wapner
Council Member

Jim W. Bowman
Council Member

Ruben Valencia
Council Member



Al C. Boling
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

Dorst-Porada, Wapner, Bowman, 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 54956.8, CONFERENCE WITH REAL PROPERTY NEGOTIATORS
Property: APN: 0110-441-91; 1900-1965 Harvard Privado; City/Authority Negotiator: Al C. Boling or his designee; Negotiating parties: The Vineyards Townhome Association; Under negotiation: Price and terms of payment.
- GC 54956.8, CONFERENCE WITH REAL PROPERTY NEGOTIATORS
Property: APN: 0110-334-14; 1880 East Fourth Street; City/Authority Negotiator: Al C. Boling or his designee; Negotiating parties: Lew Ontario Property, LLC; Under negotiation: Price and terms of payment.
- GC 54956.8, CONFERENCE WITH REAL PROPERTY NEGOTIATORS
Property: APN: 0110-441-02 and 03; 1903-1921 Fourth Street; City/Authority Negotiator: Al C. Boling or his designee; Negotiating parties: Vineyard Ontario Associates, LLC; Under negotiation: Price and terms of payment.

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

PLEDGE OF ALLEGIANCE

Mayor pro Tem Dorst-Porada

INVOCATION

Pastor Donald Rucker, First Church of the Nazarene

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.

I. APPROVAL OF MINUTES

Minutes for the regular meeting of the City Council/Housing Authority/Successor Agency to the Ontario Redevelopment Agency/Public Financing Authority and Redevelopment Financing Authority of May 16, 2017, approving same as on file in the Records Management Department.

2. BILLS/PAYROLL

Bills April 30, 2017 through May 13, 2017 and **Payroll** April 30, 2017 through May 13, 2017, when audited by the Finance Committee.

3. AUTHORIZATION FOR THE FILING OF INCORPORATION FOR A NONPROFIT ENTITY FOR THE ADMINISTRATION OF A YOUTH ACTIVITIES LEAGUE

That the City Council authorize the City Manager, or his designee, to file all appropriate documents in substantial form and execute any necessary agreements to incorporate a nonprofit entity for the administration of a City Youth Activities League.

4. A CONSTRUCTION CONTRACT FOR THE REPLACEMENT AND INSTALLATION OF TREMCO ROOF SYSTEM AT ONTARIO PUBLIC WORKS ADMINISTRATION FACILITY/BEST CONTRACTING SERVICES, INC.

That the City Council award Contract No. MS 1617-6 to Best Contracting Services, Inc., of Gardena, California, for the replacement and installation of a new Tremco Roof System at the Ontario Public Works Administration Facility in the amount of \$152,850 plus a 15% contingency (\$22,927) for a total amount of \$175,777; authorize the City Manager to execute said contract (on file in the Records Management Department), and authorize the filing of the notice of completion at the conclusion of all construction activities related to the project.

5. A MAINTENANCE SERVICE AGREEMENT FOR STAND-BY GENERATOR MAINTENANCE AND REPAIR SERVICES/AG ENGINEERING INC.

That the City Council authorize the City Manager to execute a three-year Maintenance Service Agreement (on file in the Records Management Department) with AG Engineering Inc. of Rancho Cucamonga, California, for an annual general maintenance cost of \$87,184; and authorize the City Manager to extend the agreement for up to two additional years consistent with City Council approved budgets.

6. APPROVAL OF THE CITY OF ONTARIO HOME INVESTMENT PARTNERSHIPS PROGRAM POLICIES AND PROCEDURES MANUAL INCLUDING THE VIOLENCE AGAINST WOMEN ACT (VAWA) EMERGENCY TRANSFER PLAN

That the City Council takes the following actions:

- (A) Approve and adopt the City's HOME Investment Partnerships Program (HOME Program) Policies and Procedures Manual; and
- (B) That the Board of Directors of the Ontario Housing Authority adopt the VAWA (Violence Against Women Act) Emergency Transfer Plan included in the City's HOME Program Policies and Procedures Manual.

7. A RESOLUTION ESTABLISHING THE ANNUAL SPECIAL TAX WITHIN COMMUNITY FACILITIES DISTRICT NO. 9 (EDENGLLEN) FOR FISCAL YEAR 2017-18

That the City Council adopt a resolution establishing the annual special tax within Community Facilities District No. 9 (Edenglen) for Fiscal Year 2017-18.

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, ACTING IN ITS CAPACITY AS THE LEGISLATIVE BODY OF COMMUNITY FACILITIES DISTRICT NO. 9 (EDENGLLEN), ESTABLISHING THE ANNUAL SPECIAL TAX FOR FISCAL YEAR 2017-18.

8. A RESOLUTION ESTABLISHING THE ANNUAL SPECIAL TAX WITHIN COMMUNITY FACILITIES DISTRICT NO. 10 (ONTARIO AIRPORT TOWERS) FOR FISCAL YEAR 2017-18

That the City Council adopt a resolution establishing the annual special tax within Community Facilities District No. 10 (Ontario Airport Towers) for Fiscal Year 2017-18.

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, ACTING IN ITS CAPACITY AS THE LEGISLATIVE BODY OF COMMUNITY FACILITIES DISTRICT NO. 10 (ONTARIO AIRPORT TOWERS), ESTABLISHING THE ANNUAL SERVICES SPECIAL TAX FOR FISCAL YEAR 2017-18.

9. A RESOLUTION ESTABLISHING THE ANNUAL SPECIAL TAX WITHIN COMMUNITY FACILITIES DISTRICT NO. 13 (CALIFORNIA COMMERCE CENTER – PHASE IV) FOR FISCAL YEAR 2017-18

That the City Council adopt a resolution establishing the annual special tax within Community Facilities District No. 13 (California Commerce Center – Phase IV) for Fiscal Year 2017-18.

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, ACTING IN ITS CAPACITY AS THE LEGISLATIVE BODY OF COMMUNITY FACILITIES DISTRICT NO. 13 (CALIFORNIA COMMERCE CENTER – PHASE IV), ESTABLISHING THE ANNUAL SPECIAL TAX FOR FISCAL YEAR 2017-18.

10. A RESOLUTION ESTABLISHING THE ANNUAL SPECIAL TAX WITHIN COMMUNITY FACILITIES DISTRICT NO. 19 (COUNTRYSIDE PHASE 1 - SERVICES) FOR FISCAL YEAR 2017-18

That the City Council adopt a resolution establishing the annual special tax within City of Ontario Community Facilities District No. 19 (Countryside Phase 1 - Services) for Fiscal Year 2017-18.

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, ACTING IN ITS CAPACITY AS THE LEGISLATIVE BODY OF CITY OF ONTARIO COMMUNITY FACILITIES DISTRICT NO. 19 (COUNTRYSIDE PHASE 1 - SERVICES), ESTABLISHING THE ANNUAL SPECIAL TAX FOR FISCAL YEAR 2017-18.

11. A RESOLUTION ESTABLISHING THE ANNUAL SPECIAL TAX WITHIN COMMUNITY FACILITIES DISTRICT NO. 20 (WAL-MART) FOR FISCAL YEAR 2017-18

That the City Council adopt a resolution establishing the annual special tax within Community Facilities District No. 20 (Wal-Mart) for Fiscal Year 2017-18.

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, ACTING IN ITS CAPACITY AS THE LEGISLATIVE BODY OF COMMUNITY FACILITIES DISTRICT NO. 20 (WAL-MART), ESTABLISHING THE ANNUAL SERVICES SPECIAL TAX FOR FISCAL YEAR 2017-18.

12. A RESOLUTION ESTABLISHING THE ANNUAL SPECIAL TAX WITHIN COMMUNITY FACILITIES DISTRICT NO. 21 OF THE CITY OF ONTARIO (PARKSIDE) FOR FISCAL YEAR 2017-18

That the City Council adopt a resolution establishing the annual special tax within Community Facilities District No. 21 of the City of Ontario (Parkside) for Fiscal Year 2017-18.

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, ACTING IN ITS CAPACITY AS THE LEGISLATIVE BODY OF COMMUNITY FACILITIES DISTRICT NO. 21 OF THE CITY OF ONTARIO (PARKSIDE), ESTABLISHING THE ANNUAL SPECIAL TAX FOR FISCAL YEAR 2017-18.

13. A RESOLUTION ESTABLISHING THE ANNUAL SPECIAL TAX WITHIN COMMUNITY FACILITIES DISTRICT NO. 23 (PARK PLACE SERVICES) FOR FISCAL YEAR 2017-18

That the City Council adopt a resolution establishing the annual special tax within City of Ontario Community Facilities District No. 23 (Park Place Services) for Fiscal Year 2017-18.

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, ACTING IN ITS CAPACITY AS THE LEGISLATIVE BODY OF CITY OF ONTARIO COMMUNITY FACILITIES DISTRICT NO. 23 (PARK PLACE SERVICES), ESTABLISHING THE ANNUAL SPECIAL TAX FOR FISCAL YEAR 2017-18.

14. A RESOLUTION ESTABLISHING THE ANNUAL SPECIAL TAX WITHIN COMMUNITY FACILITIES DISTRICT NO. 24 (PARK PLACE FACILITIES - PHASE I) FOR FISCAL YEAR 2017-18

That the City Council adopt a resolution establishing the annual special tax within City of Ontario Community Facilities District No. 24 (Park Place Facilities - Phase I) for Fiscal Year 2017-18.

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, ACTING IN ITS CAPACITY AS THE LEGISLATIVE BODY OF CITY OF ONTARIO COMMUNITY FACILITIES DISTRICT NO. 24 (PARK PLACE FACILITIES – PHASE I), ESTABLISHING THE ANNUAL SPECIAL TAX FOR FISCAL YEAR 2017-18.

15. A RESOLUTION ESTABLISHING THE ANNUAL SPECIAL TAX WITHIN COMMUNITY FACILITIES DISTRICT NO. 25 (PARK PLACE FACILITIES - PHASE II) FOR FISCAL YEAR 2017-18

That the City Council adopt a resolution establishing the annual special tax within City of Ontario Community Facilities District No. 25 (Park Place Facilities - Phase II) for Fiscal Year 2017-18.

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, ACTING IN ITS CAPACITY AS THE LEGISLATIVE BODY OF CITY OF ONTARIO COMMUNITY FACILITIES DISTRICT NO. 25 (PARK PLACE FACILITIES – PHASE II), ESTABLISHING THE ANNUAL SPECIAL TAX FOR FISCAL YEAR 2017-18.

16. A RESOLUTION ESTABLISHING THE ANNUAL SPECIAL TAX WITHIN COMMUNITY FACILITIES DISTRICT NO. 27 (NEW HAVEN SERVICES) FOR FISCAL YEAR 2017-18

That the City Council adopt a resolution establishing the annual special tax within City of Ontario Community Facilities District No. 27 (New Haven Services) for Fiscal Year 2017-18.

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, ACTING IN ITS CAPACITY AS THE LEGISLATIVE BODY OF CITY OF ONTARIO COMMUNITY FACILITIES DISTRICT NO. 27 (NEW HAVEN SERVICES), ESTABLISHING THE ANNUAL SPECIAL TAX FOR FISCAL YEAR 2017-18.

17. A RESOLUTION ESTABLISHING THE ANNUAL SPECIAL TAX WITHIN COMMUNITY FACILITIES DISTRICT NO. 28 (NEW HAVEN FACILITIES - AREA A) FOR FISCAL YEAR 2017-18

That the City Council adopt a resolution establishing the annual special tax within City of Ontario Community Facilities District No. 28 (New Haven Facilities - Area A) for Fiscal Year 2017-18.

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, ACTING IN ITS CAPACITY AS THE LEGISLATIVE BODY OF CITY OF ONTARIO COMMUNITY FACILITIES DISTRICT NO. 28 (NEW HAVEN FACILITIES – AREA A), ESTABLISHING THE ANNUAL SPECIAL TAX FOR FISCAL YEAR 2017-18.

18. A RESOLUTION ESTABLISHING THE ANNUAL SPECIAL TAX WITHIN COMMUNITY FACILITIES DISTRICT NO. 30 (NEW HAVEN FACILITIES - AREA B) FOR FISCAL YEAR 2017-18

That the City Council adopt a resolution establishing the annual special tax within City of Ontario Community Facilities District No. 30 (New Haven Facilities - Area B) for Fiscal Year 2017-18.

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, ACTING IN ITS CAPACITY AS THE LEGISLATIVE BODY OF CITY OF ONTARIO COMMUNITY FACILITIES DISTRICT NO. 30 (NEW HAVEN FACILITIES – AREA B), ESTABLISHING THE ANNUAL SPECIAL TAX FOR FISCAL YEAR 2017-18.

19. A RESOLUTION ESTABLISHING THE ANNUAL SPECIAL TAX WITHIN COMMUNITY FACILITIES DISTRICT NO. 31 (CARRIAGE HOUSE / AMBERLY LANE) FOR FISCAL YEAR 2017-18

That the City Council adopt a resolution establishing the annual special tax within City of Ontario Community Facilities District No. 31 (Carriage House / Amberly Lane) for Fiscal Year 2017-18.

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, ACTING IN ITS CAPACITY AS THE LEGISLATIVE BODY OF CITY OF ONTARIO COMMUNITY FACILITIES DISTRICT NO. 31 (CARRIAGE HOUSE / AMBERLY LANE), ESTABLISHING THE ANNUAL SPECIAL TAX FOR FISCAL YEAR 2017-18.

20. A RESOLUTION ESTABLISHING THE ANNUAL SPECIAL TAX WITHIN COMMUNITY FACILITIES DISTRICT NO. 34 (COUNTRYSIDE PHASE 1 NORTH - FACILITIES) FOR FISCAL YEAR 2017-18

That the City Council adopt a resolution establishing the annual special tax within City of Ontario Community Facilities District No. 34 (Countryside Phase 1 North - Facilities) for Fiscal Year 2017-18.

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, ACTING IN ITS CAPACITY AS THE LEGISLATIVE BODY OF CITY OF ONTARIO COMMUNITY FACILITIES DISTRICT NO. 34 (COUNTRYSIDE PHASE 1 NORTH - FACILITIES), ESTABLISHING THE ANNUAL SPECIAL TAX FOR FISCAL YEAR 2017-18.

21. ANNUAL LEVY OF ASSESSMENTS WITHIN ONTARIO PARKWAY MAINTENANCE ASSESSMENT DISTRICT NOS. 1, 2, 3 AND 4 FOR FISCAL YEAR 2017-18

That the City Council adopt resolutions pertaining to the levy of assessments within Ontario Parkway Maintenance Assessment District (OPMAD) Nos. 1, 2, 3 and 4:

- (A) A resolution initiating proceedings and ordering the preparation of an Engineer's Report for each district relating to the annual levy of assessments; and
- (B) A resolution giving preliminary approval of the Engineer's Report; and
- (C) A resolution for District Nos. 1, 2 and 3, and a resolution for District No. 4, declaring the City's intention to levy the special assessments for Fiscal Year 2017-18 and setting the date of July 18, 2017 for a Public Hearing on each district in accordance with the Landscaping and Lighting Act of 1972.

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, ORDERING THE PREPARATION OF THE ASSESSMENT ENGINEER'S REPORTS PURSUANT TO THE PROVISIONS OF DIVISION 15, PART 2, OF THE STREETS AND HIGHWAYS CODE OF THE STATE OF CALIFORNIA, FOR PROCEEDINGS FOR THE ANNUAL ASSESSMENT LEVY WITHIN ONTARIO PARKWAY MAINTENANCE ASSESSMENT DISTRICTS NO. 1, 2, 3 AND 4 FOR FISCAL YEAR 2017-18.

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING THE ASSESSMENT ENGINEER'S REPORTS FOR THE ANNUAL LEVY OF ASSESSMENTS WITHIN ONTARIO PARKWAY MAINTENANCE ASSESSMENT DISTRICTS NO. 1, 2, 3 AND 4 FOR FISCAL YEAR 2017-18.

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, DECLARING ITS INTENTION TO PROVIDE FOR AN ANNUAL LEVY AND COLLECTION OF ASSESSMENTS FOR FISCAL YEAR 2017-18 IN ONTARIO PARKWAY MAINTENANCE ASSESSMENT DISTRICTS NO. 1, 2 AND 3, PURSUANT TO THE PROVISIONS OF DIVISION 15, PART 2, OF THE STREETS AND HIGHWAYS CODE OF THE STATE OF CALIFORNIA, AND SETTING A TIME AND PLACE FOR A PUBLIC HEARING THEREON.

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, DECLARING ITS INTENTION TO PROVIDE FOR AN ANNUAL LEVY AND COLLECTION OF ASSESSMENTS FOR FISCAL YEAR 2017-18 IN ONTARIO PARKWAY MAINTENANCE ASSESSMENT DISTRICT NO. 4, PURSUANT TO THE PROVISIONS OF DIVISION 15, PART 2, OF THE STREETS AND HIGHWAYS CODE OF THE STATE OF CALIFORNIA, AND SETTING A TIME AND PLACE FOR A PUBLIC HEARING THEREON.

22. ANNUAL LEVY OF ASSESSMENTS WITHIN STREET LIGHTING MAINTENANCE DISTRICT NOS. 1 AND 2 FOR FISCAL YEAR 2017-18

That the City Council adopt resolutions pertaining to the levy of assessments within Street Lighting Maintenance District (SLMD) Nos. 1 and 2:

- (A) A resolution initiating proceedings and ordering the preparation of an Engineer's Report for each district relating to the annual levy of assessments;
- (B) A resolution giving preliminary approval of the Engineer's Reports; and
- (C) A resolution for each district declaring the City's intention to levy the special assessments for Fiscal Year 2017-18 and setting the date of July 18, 2017 for a Public Hearing on each district in accordance with the Landscaping and Lighting Act of 1972.

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, ORDERING THE PREPARATION OF THE ASSESSMENT ENGINEER'S REPORTS PURSUANT TO THE PROVISIONS OF DIVISION 15, PART 2, OF THE STREETS AND HIGHWAYS CODE OF THE STATE OF CALIFORNIA, FOR PROCEEDINGS FOR THE ANNUAL ASSESSMENT LEVY WITHIN ONTARIO STREET LIGHTING MAINTENANCE DISTRICTS NO. 1 AND NO. 2 FOR FISCAL YEAR 2017-18.

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING THE ASSESSMENT ENGINEER'S REPORTS FOR THE ANNUAL LEVY OF ASSESSMENTS WITHIN ONTARIO STREET LIGHTING MAINTENANCE DISTRICTS NO. 1 AND NO. 2 FOR FISCAL YEAR 2017-18.

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, DECLARING ITS INTENTION TO PROVIDE FOR AN ANNUAL LEVY AND COLLECTION OF ASSESSMENTS FOR FISCAL YEAR 2017-18 IN ONTARIO STREET LIGHTING MAINTENANCE DISTRICT NO. 1 PURSUANT TO THE PROVISIONS OF DIVISION 15, PART 2, OF THE STREETS AND HIGHWAYS CODE OF THE STATE OF CALIFORNIA, AND SETTING A TIME AND PLACE FOR A PUBLIC HEARING THEREON.

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, DECLARING ITS INTENTION TO PROVIDE FOR AN ANNUAL LEVY AND COLLECTION OF ASSESSMENTS FOR FISCAL YEAR 2017-18 IN ONTARIO STREET LIGHTING MAINTENANCE DISTRICT NO. 2, PURSUANT TO THE PROVISIONS OF DIVISION 15, PART 2, OF THE STREETS AND HIGHWAYS CODE OF THE STATE OF CALIFORNIA, AND SETTING A TIME AND PLACE FOR A PUBLIC HEARING THEREON.

23. A MAINTENANCE SERVICE AGREEMENT FOR LANDSCAPE MAINTENANCE SERVICES FOR PARKS, EDENGLLEN/SCE WALKING TRAIL, FORMER REDEVELOPMENT SITES AND PARKWAYS AND LANDSCAPE MEDIANS/MERCHANTS LANDSCAPE, INC./BRIGHTVIEW LANDSCAPE

That the City Council takes the following actions:

- (A) Authorize the City Manager to execute a five-year Maintenance Service Agreement (on file with the Records Management Department) for contract No. PM1617-4 with Merchants Landscape, Inc. located in Rancho Cucamonga, California, for an annual estimated cost of \$576,012 plus a 5% contingency of \$28,801; for park landscape maintenance;
- (B) Authorize the City Manager to execute a five-year Maintenance Service Agreement (on file with the Records Management Department) for contract No. PM1617-12 with Merchants Landscape, Inc. located in Rancho Cucamonga, California, for an annual estimated cost of \$204,000 plus a 5% contingency of \$10,200; for landscape maintenance for the walking trail surrounding the Edenglen community;
- (C) Authorize the City Manager to execute a five-year Maintenance Service Agreement (on file with the Records Management Department) for contract No. PM1617-10 with Brightview Landscape Services, Inc. located in Upland, California, for an annual estimated cost of \$145,788 plus a 5% contingency of \$7,290; for landscape maintenance at former Redevelopment properties and sites;
- (D) Authorize the City Manager to execute a five-year Maintenance Service Agreement (on file with the Records Management Department) for contract No. PM1617-9 with Brightview Landscape Services, Inc. located in Upland, California, for an annual estimated cost of \$174,996 plus a 5% contingency of \$8,750; for landscape maintenance of certain parkways and landscape medians throughout the City; and
- (E) Authorize the addition of future service areas; and the option to extend the agreements for up to two additional years consistent with the City Council approved budgets.

24. A MAINTENANCE SERVICE AGREEMENT FOR LANDSCAPE FERTILIZATION, WEED CONTROL, PEST AND DISEASE CONTROL SERVICES/RPW, INC.

That the City Council authorize the City Manager to execute a five-year Maintenance Service Agreement (on file with the Records Management Department) for contract No. PM1617-8 with RPW, Inc. located in Fullerton, California, for an annual estimated cost of \$63,492 plus a 5% contingency of \$3,175; authorize addition of future service areas; and authorize the option to extend the agreement for up to two additional years consistent with the City Council approved budgets.

25. A SERVICE AGREEMENT FOR SENIOR TRANSPORTATION SERVICES/WEST END YMCA (ONTARIO/MONTCLAIR YMCA)

That the City Council authorize the City Manager to execute a two-year Service Agreement (on file with the Records Management Department) with West End YMCA (Ontario/Montclair YMCA) located in Ontario, California, for a cumulative estimated cost of \$264,136; and authorize the addition of future service areas; and authorize the option to extend the agreement for up to one additional year consistent with the City Council approved budgets.

26. AN AMENDMENT TO EXTEND THE PROFESSIONAL SERVICES AGREEMENT FOR BOOKING, JAIL AND TRANSPORT SERVICES/GEO CORRECTIONS AND DETENTION, LLC

That the City Council authorize the City Manager to execute a three-year extension of the current professional services agreement (on file with the Records Management Department) with GEO Corrections and Detention, LLC, of Boca Raton, Florida, for booking, jail and transport services in support of the Police Department with an estimated total cost of \$1,581,358 for the three-year period.

27. AUTHORIZE THE CITY MANAGER TO APPROVE MAINTENANCE SERVICE AGREEMENT FOR THE POLICE DEPARTMENT FIREARMS TRAINING FACILITY/HUNTER CONSULTING, INC. DBA HCI ENVIRONMENTAL & ENGINEERING SERVICES

That the City Council authorize the City Manager to execute a three-year maintenance services agreement (on file with the Records Management Department), with Hunter Consulting, Inc. dba HCI Environmental & Engineering Services, of Corona, California, for range cleaning and maintenance at an annual cost of \$37,277, or a total of \$111,831 for the term of the agreement.

28. PURCHASE OF A TACTICAL ARMORED VEHICLE/RING POWER TACTICAL SOLUTIONS

That the City Council authorize the City Manager to execute a sole source procurement with Ring Power Tactical Solutions, of St. Augustine, Florida, in the amount of \$340,000 (includes sales tax and contingency) for the purchase of a tactical armored vehicle.

29. STATE OF CALIFORNIA DEPARTMENT OF ALCOHOLIC BEVERAGE CONTROL GRANT ASSISTANCE PROGRAM

That City Council authorize the City Manager to accept and execute grant documents to accept a 12-month grant for a maximum of \$37,914 to assist in funding overtime enforcement operations for the California Department of Alcoholic Beverage Control (ABC) to address alcohol-related problems in the community.

30. PURCHASE OF AUTOMATED RESIDENTIAL COLLECTION CONTAINERS/TOTER, INC.

That the City Council authorize the purchase of automated residential collection containers for an estimated amount of \$550,000 from Toter, Inc. of Statesville, North Carolina.

31. AMENDMENT TO A COST SHARING AGREEMENT FOR THE CHINO BASIN WATER BANK FEASIBILITY REVIEW AND FOUNDATIONAL DOCUMENT DEVELOPMENT/INLAND EMPIRE UTILITIES AGENCY/CUCAMONGA VALLEY WATER DISTRICT/MONTE VISTA WATER DISTRICT

That the City Council approve and authorize the City Manager to execute an amendment to the cost sharing agreement (on file with the Records Management Department), subject to non-substantive changes, with the Inland Empire Utilities Agency, Cucamonga Valley Water District and Monte Vista Water District for the Chino Basin Water Bank Feasibility Review and Foundational Document Development in the revised total amount of \$600,000 and each participating agency's proportionate share being \$150,000.

STAFF MATTERS

City Manager Boling

COUNCIL MATTERS

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

ADJOURNMENT

**CITY OF ONTARIO
CLOSED SESSION REPORT**
City Council // Housing Authority // Other // (GC 54957.1)
June 20, 2017

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

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

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

- GC 54956.8, CONFERENCE WITH REAL PROPERTY NEGOTIATORS
Property: APN: 0110-441-91; 1900-1965 Harvard Privado; City/Authority Negotiator: Al C. Boling or his designee; Negotiating parties: The Vineyards Townhome Association; Under negotiation: Price and terms of payment.

No Reportable Action Continue Approved

/ / / / / /

Disposition: _____

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

- GC 54956.8, CONFERENCE WITH REAL PROPERTY NEGOTIATORS
Property: APN: 0110-334-14; 1880 East Fourth Street; City/Authority Negotiator: Al C. Boling or his designee; Negotiating parties: Lew Ontario Property, LLC; Under negotiation: Price and terms of payment.

No Reportable Action Continue Approved

/ / / / / /

Disposition: _____

**CITY OF ONTARIO
CLOSED SESSION REPORT**
City Council // Housing Authority // Other // (GC 54957.1)
June 20, 2017
(continued)

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

- GC 54956.8, CONFERENCE WITH REAL PROPERTY NEGOTIATORS
Property: APN: 0110-441-02 and 03; 1903-1921 Fourth Street; City/Authority Negotiator: Al C. Boling or his designee; Negotiating parties: Vineyard Ontario Associates, LLC; Under negotiation: Price and terms of payment.

No Reportable Action	Continue	Approved
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Disposition: _____

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

CITY OF ONTARIO

Agenda Report
June 20, 2017

SECTION:
CONSENT CALENDAR

SUBJECT: AUTHORIZATION FOR THE FILING OF INCORPORATION FOR A NONPROFIT ENTITY FOR THE ADMINISTRATION OF A YOUTH ACTIVITIES LEAGUE

RECOMMENDATION: That the City Council authorize the City Manager, or his designee, to file all appropriate documents in substantial form and execute any necessary agreements to incorporate a nonprofit entity for the administration of a City Youth Activities League.

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

FISCAL IMPACT: There are some nominal costs associated with the incorporation of the entity, including filing fees with the California Secretary of State, the California Franchise Tax Board, and the IRS, for which sufficient appropriations exist in the Citywide Administration budget. Administration of the league's activities will come from future appropriations of funding in the Recreation and Community Services Department, as well as from community donations.

BACKGROUND: Several cities across the State of California maintain youth activities leagues for the enrichment of youth in the community. The leagues provide the opportunity for youth to participate in team sports and assorted trips, as well as to foster positive relationships within the cities. The leagues are typically administrated by a nonprofit entity which handles the scheduling of league activities as well as staffing, insurance, and facility usage costs.

Seeing the potential benefits of such a program, staff seeks Council's approval to file all necessary documentation for the establishment of the nonprofit entity to operate a youth activities league in Ontario. Per the proposed draft bylaws (attached), the entity will be comprised of a five member Board, appointed by the City Council, who will oversee operations of the activities league. The entity will be subject to the Ralph M. Brown Act. City staff will be assigned some responsibilities for administration of the entity, with the City's Recreation and Community Services Department taking primary responsibility. Potential programming for the entity includes athletic leagues, experiential trip opportunities, and recreational classes.

STAFF MEMBER PRESENTING: Al C. Boling, City Manager

Prepared by: David Sheasby

Department: Citywide Administration

City Manager
Approval: 

Submitted to Council/O.H.A. 06/20/2017

Approved: _____

Continued to: _____

Denied: _____

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BYLAWS OF
ONTARIO YOUTH ACTIVITIES LEAGUE, INC.

ARTICLE I
Recital and Definitions

Section 1. Name of Corporation. The name of this corporation shall be the Ontario Youth Activities League, Inc. and shall be referred to herein as the “Corporation.”

Section 2. Specific Purposes. This Corporation has been formed pursuant to the California Nonprofit Corporation Law as a nonprofit public benefit corporation. The specific purpose for which this corporation is exclusively organized is to reach out and enrich the lives of the youth of Ontario and to reduce juvenile crime and delinquency. We strive to provide safe and supervised environments for recreational, athletic, social, educational, and cultural activities. This is accomplished by providing quality activities designed to develop discipline, self-esteem, mutual trust and respect.

Section 3. Limitation on Corporate Activities. The Corporation is organized and operated exclusively for charitable purposes within the meaning of section 501(c)(3) of the Internal Revenue Code of 1986, as amended (“Code”). The Corporation shall not carry on any other activities not permitted to be carried on (a) by a corporation exempt from federal income tax under section 501(c)(3) of the Code, or (b) by a corporation contributions to which are deductible under section 170(c)(2) of the Code. Further, no substantial part of the activities of the Corporation shall consist of lobbying, carrying on propaganda, or otherwise attempting to influence legislation, and the Corporation shall not participate in, or intervene in (including the publishing or distribution of statements) any political campaign on behalf of any candidate for public office.

Section 4. Dedication of Assets; Dissolution. The property of this Corporation is irrevocably dedicated to charitable purposes, and no part of the net income or assets of this Corporation shall ever inure to the benefit of any director, officer or member thereof or to the benefit of any private person. Upon the dissolution or winding up of the Corporation, none of the assets of the Corporation shall be distributable to any director, officer or member thereof or to the benefit of any private person and any assets remaining after payment or provision for payment, of all debts and liabilities of this Corporation shall be distributed to a nonprofit fund, Corporation or corporation which is organized and operated exclusively for charitable purposes and which has established and maintained its tax-exempt status under Section 501(c)(3) of the Code.

ARTICLE II
Membership

Section 1. No Statutory Members. This Corporation shall have no members of that term as defined in Section 5056 of the California Corporations Code. Unless otherwise provided herein or in the California Nonprofit Public Benefit Corporation Law, any action which would otherwise require approval of the majority of all members shall only require the approval of the

Board of Directors. All rights which would otherwise vest in the members under the California Corporations Code or otherwise by law shall vest in the Board of Directors. The Corporation may refer to persons or entities associated with it as “members” even though those persons or entities are not voting members, but no such reference shall constitute anyone a member within the meaning of section 5056 of the California Corporations Code.

ARTICLE III
Principal Office

Section 1. Location of Principal Office. The principal office of the corporation will be located at 303 East “B” Street, Ontario, CA 91764. The Board may, from time to time, designate by resolution a new location for the principal office within the City of Ontario, County of San Bernardino, in the State of California. Any such change shall be noted by the Secretary in these Bylaws, but shall not be considered an amendment of these Bylaws. The Corporation may also have offices at such other places, within or without San Bernardino County, as its business may require and as the Board may designate.

ARTICLE IV
Board of Directors

Section 1. General Corporation Powers. Subject to the provisions and limitations of the California Nonprofit Public Benefit Corporation Law and any other applicable laws, and subject to any limitations in the Articles of Incorporation or these Bylaws, the business and affairs of this Corporation shall be managed, and all corporate powers shall be vested in and exercised by, the Corporation's Board of Directors. Subject to the limitations expressed in Article VII, Section 1, the Board may delegate the management of the activities of the Corporation to any person or persons, or committee, provided that notwithstanding any such delegation, the activities and affairs of the Corporation shall continue to be managed and all Corporate powers shall continue to be exercised under the ultimate direction of the Board. Without limiting the generality of the foregoing, the Board shall have the power and authority to exercise this Corporation's rights as member or shareholder of any other corporation, venture or entity in which this Corporation has an interest as a member, shareholder or otherwise. In doing so, the Board may, by resolution authorize one (1) or more officers of this Corporation to represent this Corporation with respect to any matter to be acted upon by this Corporation as a member, shareholder or otherwise.

Section 2. Number of Directors; Qualifications. The authorized number of directors of the Board of Directors of the Corporation shall be not less than three (3) or more than twelve (12), the exact number to be fixed by resolution adopted by the Board, provided that any amendment which reduces the number of Directors shall not have the effect of terminating the unexpired term of any Director. The exact number of Directors initially authorized shall be five (5) until changed within the limits specified herein by a duly adopted resolution of the Board. To be eligible to serve on the Board, an individual must reside or work in the City of Ontario, or have a commitment to the Ontario community, and be interested in promoting the purpose of the Corporation.

Section 3. Term of Office. The term of office of all members of the Board shall be four (4) years. Terms shall be staggered, and each director shall serve his or her term concurrent to the term of the Ontario City Council member who has nominated the director. Each director, including a director elected to fill a vacancy, shall hold office until the expiration of the term for which elected or until a successor has been elected and qualified.

Section 4. Nomination and Appointment of Directors.

Directors shall be nominated and appointed by the City Council of the City of Ontario (“City Council”). Any member of the City Council may nominate a director. Nominations will be considered and appointments will be approved by the Mayor. The appointment of directors shall take place biennially at a meeting of the City Council, provided, however, that vacancies may be filled as provided in Section 6(c), below.

Section 5. Interested Persons.

No more than forty-nine percent (49%) of the persons serving on the Board may be “interested persons.”

(a) As used in this Section 5, an “interested person” means:

(1) Any person compensated by the Corporation for services rendered to it within the previous twelve (12) months, whether as a full-time or part-time employee, independent contractor or otherwise, excluding any reasonable compensation paid to a director for his/her service as director; and

(2) Any brother, sister, ancestor, descendant, spouse, brother-in-law, sister-in-law, son-in-law, daughter-in-law, mother-in-law or father-in-law of such person.

(b) Any violation of the provisions of this Section 5 shall not affect the validity or enforceability of any transaction entered into by the Corporation.

Section 6. Removal of Directors and Filling Vacancies on the Board of Directors.

(a) Vacancies. A vacancy or vacancies in the Board of Directors shall be deemed to exist on the occurrence of any of the following: (i) the death, resignation or removal of a director, (ii) the declaration by resolution of the Board of a vacancy in the office of a Director pursuant to Section 6(d) below; or (iii) an increase of the authorized number of directors. No reduction in the authorized number of Directors shall have the effect of removing any Director prior to the expiration of the Director’s term of office.

(b) Resignation of Directors. Any director may resign, and said resignation shall be effective on giving written notice to the president, the secretary, or the Board of Directors, unless the notice specifies a later time for the resignation to become effective. If the resignation of a director is effective at a future time, the Board of Directors may elect a successor to take office when the resignation becomes effective.

(c) Filling of Vacancies. Vacancies on the Board may be filled by a majority vote of the City Council at a duly held meeting of the City Council.

(d) Removal of Directors for Cause. The City Council or Board of Directors shall have the power and authority to remove a director and declare his or her office vacant, if he or she has (i) been declared of unsound mind by a final order of the court; (ii) been convicted of a felony; (iii) been found by a final order of judgment of any court to have breached any duty under Sections 5230 through 5237 of the California Nonprofit Public Benefit Corporation Law (relating to the standards of conduct of directors); or (iv) if the director fails to attend three (3) consecutive regular meetings of the Board of Directors without excuse acceptable to the Board, which meetings have been duly noticed in accordance with Article V hereof.

(e) Removal of Directors Without Cause. Except as otherwise provided in subparagraph (d), above, a director may only be removed from office prior to expiration of his or her term by the affirmative vote of two-thirds of the City Council.

ARTICLE V

Board Meetings

Section 1. Place of Meetings. Regular and special meetings of the Board of Directors shall be held at the principal office of the Corporation. Notwithstanding the above provisions of this Section 1, a regular or special meeting of the Board may be held at any place consented to by a majority of Board members.

Section 2. Annual Meeting of Directors. The Board of Directors shall hold an annual meeting for the purpose of organization, election of committee members, and the transaction of other business. The annual meeting shall be held during the same month of each year. The date, time and location of the meeting shall be set forth in the notice thereof issued in accordance with Sections 3 and 5 of this Article V, below.

Section 3. Other Regular Meetings. Other regular meetings of the Board shall be held at such time and place as may be fixed by the Board of Directors by resolution. Ordinarily, regular meetings shall be conducted quarterly, provided however, that regular meetings can be held as infrequently as every 12 (twelve) months if the Board's business does not justify more frequent meetings.

Section 4. Special Meeting of the Board. Special meetings of the Board may be called in accordance with the provisions of California Government Code Section 54956.

Section 5. Notice; Conduct of Meeting. All meetings of the Board of Directors shall be called, noticed, held and conducted subject to the provisions of the Ralph M. Brown Act, Chapter 9 (commencing with Section 54950) of Part 1 of Division 2 of Title 5 of the California Government Code. The President or, in his or her absence, the Vice President, or, in the absence of the Vice President, a chair chosen by the majority of Directors present, shall preside at all meetings of the Board of Directors.

Section 6. Quorum Requirements.

(a) Specified Quorum. A majority of the authorized number of directors shall constitute a quorum for the transaction of business, except that a quorum need not be present to vote to adjourn a meeting.

(b) Action of the Board. Except as otherwise provided herein or in the Nonprofit Public Benefit Corporation Law, every act or decision done or made by a majority of the directors present at a meeting duly held at which a quorum is present shall be regarded as the act of the Board of Directors.

Section 7. Compensation. Directors, officers and members of committees shall not be entitled to compensation for their services as such, although they may be reimbursed for such actual expenses as may be determined by resolution of the Board of Directors to be just and reasonable. Expenses shall be supported by an invoice or voucher acceptable to the Board.

ARTICLE VI Duties and Powers of the Board

Section 1. Specific Powers. Without prejudice of the general powers of the Board of Directors set forth in Article IV, Section 1, the directors shall have the power to:

(a) Exercise all powers vested in the Board under the laws of the State of California.

(b) Appoint and remove all officers of the Corporation, the Executive Director or General Manager of the Corporation, if any, and other Corporation employees; prescribe any powers and duties for such persons that are consistent with law, the Articles of Incorporation and these Bylaws.

(c) Appoint such agents and employ such other employees, including attorneys and accountants, as it sees fit to assist in the operation of the Corporation, and to fix their duties and to establish their compensation.

(d) Adopt and establish rules and regulations governing the affairs and activities of the Corporation.

(e) Enforce all applicable provisions of these Bylaws.

(f) Contract for and pay premiums for insurance and bonds (including indemnity bonds) which may be required from time to time by the Corporation.

(g) Pay all taxes and charges incurred by or levied against the Corporation.

(h) Delegate its duties and powers herein to the officers of the Corporation or to committees established by the Board, subject to the limitations expressed in Section 1 of Article VII hereof.

(i) Prepare budgets and maintain a full set of books and records showing the financial condition of the affairs of the Corporation in a manner consistent with generally

accepted accounting principles, and at no greater than annual intervals prepare an annual financial report, a copy of which shall be delivered to each director as provided in Article IX, Section 4 hereof,

(j) Appoint such committees as it deems necessary from time to time in connection with the affairs of the Corporation in accordance with Article VII hereof.

(k) Fill vacancies in any committee.

(l) Open bank accounts and borrow money on behalf of the Corporation and designate the signatories to such bank accounts.

(m) Bring and defend actions on behalf of the Corporation so long as the action is pertinent to the operations of the Corporation.

Section 2. Limitations on Powers.

(a) Self-Dealing Transactions. Notwithstanding the powers conferred on the Board pursuant to Section 1 above and Article IV, Section 1 hereof, this Corporation shall not engage in any transaction which meets the definition of a "self-dealing transaction" as defined in Section 5233 of the Nonprofit Public Benefit Corporation Law, unless the transaction has been approved by one of the means specified in subparagraph (d) of said Section 5233.

(b) Transactions Between Corporations Having Common Directorship. Unless it is established that the contract or transaction is just and reasonable as to the Corporation at the time it is authorized, approved and ratified, this Corporation shall not enter into a contract or transaction with any other corporation, association or entity in which one or more of the Corporation's directors are directors, unless the material facts as to the transaction and the director's common directorship are fully known or disclosed to the Board. The Board must approve, authorize or ratify any such contract or transaction in good faith and by a vote sufficient without counting the vote of the common director(s).

(c) Loans to Directors or Officers. The Corporation shall not make any loan of money or property to, or guarantee the obligation of, any director or officer, unless the transaction is first approved by the California Attorney General. The provision shall not apply to any reasonable officer's duties.

(d) Standards for Investment. Except as provided in section 5240(c) and 5241 of the Nonprofit Public Benefit Corporation Law, in the investment, reinvestment, purchase, acquisition, exchange, sale and management of the Corporation's investments, the Board shall:

(i) Avoid speculation, looking instead to the permanent disposition of the funds, considering the probable income, as well as the probable safety of the Corporation's capital.

(ii) Comply with additional standards, if any, imposed by the Articles of Incorporation, these Bylaws, any resolutions duly adopted by the Board, or the express terms of any instrument or agreement

pursuant to which the invested assets were contributed to the Corporation.

**ARTICLE VII
Committees**

Section 1. Committees of Directors. The Board may, by resolution adopted by a majority of the directors then in office, designate one or more committees to serve at the pleasure of the Board. A committee comprised solely of directors may exercise all the authority of the Board with respect to matters within their area of assigned responsibility, except that no committee, regardless of Board resolution may:

- (a) Take any final action on any matter which, under the Nonprofit Corporation Law of California, also requires approval of the Board.
- (b) Fill vacancies on the Board of Directors or on any committee which has been delegated any authority of the Board.
- (c) Amend or repeal Bylaws or adopt new Bylaws.
- (d) Amend or repeal any resolution of the Board of Directors or the members of those committees.
- (e) Expend Corporation funds to support a nominee for director after there are more people nominated for director than can be elected.
- (f) Approve any self-dealing transaction, unless authorized by Section 5233 (d)(3) of the Nonprofit Public Benefit Corporation Law.

Section 2. Executive Committee; Other Committees. The officers of the Corporation shall constitute the Executive Committee of the Board. Except as limited by Article VII, Section 1 above, the Board may empower the Executive Committee to act on behalf of the Board and the Corporation. The Board may establish other committees to act on behalf of the Board and the Corporation. The Board may establish other committees as deemed necessary or appropriate to implement the charitable programs or activities of the Corporation, increase the effectiveness of the Corporation, provide information, or otherwise assist the Board. Such committees may include members who are not directors; provided, however, that any committee which includes non-directors may not exercise any powers of the Board, but rather shall serve as an advisory or recommending body to the Board.

Section 3. Meetings and Actions of Committees. Meetings and actions of committees shall be governed by, and held and taken in accordance with the provisions of Article V of these Bylaws. Minutes shall be kept of each meeting of any committee and shall be filed with the Corporation records. The Board of Directors may adopt rules not inconsistent with the provisions of these Bylaws for the government of any committee.

**ARTICLE VIII
Officers**

Section 1. Officers. The officers of the Corporation shall be a President, a Vice President, a Secretary and a Chief Financial Officer/Treasurer. Additional officers so elected shall hold office for such period and shall have such powers and duties as the Board may authorize from time to time. Any number of offices may be held by the same person, except that neither the Secretary nor the Treasurer may serve concurrently as the President. No officer shall execute, acknowledge, or verify any instrument in more than one capacity, if such instrument is required to be executed, acknowledged or verified by two or more officers.

Section 2. Election of Officers. The officers of the Corporation, except such officers as may be appointed in accordance with the provisions of Section 3 following, shall be chosen for one (1) year terms by majority vote of the Board at its annual meeting, and each shall hold his or her office until he or she shall resign or shall be removed or otherwise disqualified to serve, or his or her successor shall be elected and qualified.

Section 3. Subordinate Officers. The Board may appoint, and may empower the president to appoint, such other officers as the affairs of the Corporation may require, each of whom shall hold office for such period, have such authority and perform such duties as are provided in the Bylaws and as the Board may from time to time determine.

Section 4. Removal of Officers. Any officer may be removed, either with or without cause, by the Board at any regular or special meeting, or by any officer upon whom such power of removal may be conferred by the Board; provided, however that no such officer shall remove an officer chosen by the Board.

Section 5. Resignation of Officers. Any officer may resign at any time by giving written notice to the Board or to the President or to the Secretary. Any such resignation shall take effect at the date of the receipt of such notice or at any later time specified therein; unless otherwise specified therein, the acceptance of such resignation shall not be necessary to make it effective. Any resignation is without prejudice to the rights, if any, of the Corporation under any contract to which the officer is a party.

Section 6. Vacancies. A vacancy in any office because of death, resignation, removal, disqualification or any other cause shall be filled in the manner prescribed in the Bylaws for regular appointments to such office.

Section 7. President. The President shall be elected by the Board from among the directors. He or she shall be the Chief Executive Officer of the Corporation and shall be subject to the Board, have general supervision, direction and control of the affairs and officers of the Corporation. He or she shall preside at all meetings of the Board, and shall have the general power and duties of management usually vested in the office of President of a corporation, together with such other powers and duties as may be prescribed by the Board or the Bylaws.

Section 8. Vice President. The Vice President shall be elected by the Board from among the directors. In the absence or disability of the President, the Vice President shall perform all the duties of the President and when so acting shall have all the powers of, and be subject to all the restrictions upon, the President. He or she shall have such other powers and perform such other duties as from time to time may be prescribed by the Board or the Bylaws.

Section 9. Secretary. The Secretary shall be an employee of the City of Ontario's City Clerk's office, unless otherwise elected by the Board. The Secretary shall keep at the principal office or such other place as the Board may order, a book of minutes of all meetings of directors, with the time and place of holdings same, whether regular or special, and if special, how authorized, the notice thereof given, the names of those present at directors' meetings and the proceedings thereof. The Secretary shall keep appropriate current records showing the names and mailing address of any persons designated as "members" of the Corporation. He or she shall keep the seal of the Corporation in safe custody, and shall have such other powers and from such other duties as may be prescribed by the Board or by the Bylaws.

Section 10. Chief Financial Officer/Treasurer. The Chief Financial Officer, who shall be known as the treasurer, shall be an employee of the City of Ontario's Administrative Services Department, unless otherwise elected by the Board. The Treasurer shall keep and maintain adequate and correct accounts of the properties and business transactions of the Corporation, including accounts of its assets, liabilities, receipts, disbursements, gains, losses, capital, retained earnings and other matters customarily included in financial statements. The books and records shall at all reasonable times be open to inspection by any director. The Treasurer shall deposit all monies and other valuables in the name and to the credit of the Corporation with such depositories as may be designated by the Board. He or she shall disburse the funds of the Corporation as may be ordered by the Board, shall render to the President and directors, whenever they request it, an account of all of his or her transactions as Treasurer and of the financial condition of the Corporation, and shall have such other powers and perform such other duties as may be prescribed by the Board or the Bylaws. If required by the Board, the Treasurer shall give the Corporation a bond, in the amount and with the surety or sureties specified by the Board, for faithful performance of the duties of his or her office and for restoration of the Corporation of all its books, papers vouchers, money and other property of every kind in his or her possession or under his or her control of his or her death, resignation, retirement or removal from office.

ARTICLE IX Finances

Section 1. Checks. All checks or demands for money and notes of the Corporation shall be signed by the President, Executive Director and the Treasurer or by such other officer or officers or such other person or persons as the Board of Directors may from time to time designate.

Section 2. Operating Account. There shall be established and maintained a cash deposit account to be known as the "Operating Account" into which shall be deposited the operating funds of the Corporation. Disbursement from such account shall be for the general need of the operation including, but not limited to wages, repairs, settlements, maintenance and other operating expenses of the Corporation.

Section 3. Other Accounts. The Board shall maintain any other accounts it shall deem necessary to carry out its purposes, including specific accounts for specified programs.

Section 4. Budgets and Financial Statements. The following financial statements and related information for the Corporation shall be regularly prepared and copies thereof shall be distributed to each director of the Corporation.

(a) **Budget.** A budget for each fiscal year consisting of at least the following information shall be distributed to the directors not less than forty-five (45) days nor more than sixty (60) days prior to the beginning of the fiscal year:

- (i) Estimated revenue and expense on an accrual basis;
- (ii) An operating (income) statement for the fiscal year; and
- (iii) A statement of changes in financial position for the fiscal year.

(b) **Financial Statements.** Financial statements shall be prepared as soon as reasonably practicable after the close of the fiscal year, but not later than the fifteenth (15th) day of the fourth (4th) month after the close of said fiscal year. The financial statements shall contain in appropriate detail the following: (i) a balance sheet for the Corporation as of the end of the fiscal year; (ii) an income statement for the same period; and (iii) a statement of cashflows for that same period.

(c) **Annual Report to Directors.** An annual report, including the financial statements prescribed by Section (4)(b), shall be furnished annually to all Directors within 120 days after the end of the Corporation's fiscal year and shall include any information required by Section 5 below. The financial statements included with the annual report shall be accompanied by a report thereon of independent accountants, or, if there is no such report, the certificate of an authorized officer of the Corporation that such statements were prepared without audit from the books and records of the Corporation. If the Board approves, the Corporation may send the report and any accompanying material sent pursuant to this Section 4(c) by electronic transmission.

(d) **Exception.** Notwithstanding Sections 4(b) and 4(c), the requirement of a financial statement and an annual report shall not apply if the Corporation receives less than \$10,000 in gross revenues or receipts during the fiscal year, provided, however, that the information specified above for inclusion in an annual report must be furnished annually to all Directors who request it in writing.

Section 5. Report of Transactions and Indemnifications. As part of the annual report to all Directors required by Section 4(c), or a separate document if no annual report is issued, the Corporation shall annually prepare and mail, deliver or send by electronic transmission to all Directors a statement of any transaction between the Corporation and one of its officers or Directors or of any indemnification paid to any officer or Director. The statement shall be mailed within 120 days after the close of the fiscal year. The statement required by this Section shall describe briefly:

(a) **Covered Transactions.** Any covered transaction during the previous fiscal year involving more than Ten Thousand Dollars (\$10,000), or which was one of a number of

covered transactions in which the same “interested person” had a direct or indirect material financial interest, and which transactions in the aggregate involved more than Ten Thousand Dollars (\$10,000). The names of the “interested persons” involved in such transactions, stating such person’s relationship to the Corporation, the nature of such person’s interest in the transaction and, where practicable, the amount of such interest; provided, that in the case of a transaction with a partnership of which such person is a partner, only the interest of the partnership need be stated.

(b) Indemnifications. The statement shall describe briefly the amount and circumstances of any indemnifications or advances aggregating to more than Ten Thousand Dollars (\$10,000) paid during the fiscal year to any officer or Director of the Corporation pursuant to section 5238 of the CCC.

For purposes of this Section 5, an “interested person” is (i) any Director or officer of the Corporation, or its parent or subsidiary; and (ii) any holder of more than 10 percent (10%) of the voting power of the Corporation, its parent or subsidiary.

ARTICLE X Miscellaneous

Section 1. Inspection of Books. In accordance with Section 6334 of the California Corporations Code, every director shall have an absolute right at any reasonable time to inspect all books, records, documents and minutes of the corporation and the physical properties owned by the corporation. The right of inspection by a director includes the right to extract and make copies of documents.

Section 2. Executive Director. The Board may employ the services of an Executive Director or General Manager to manage the affairs of the Corporation and, to the extent not inconsistent with the laws of the State of California, and upon such conditions as are otherwise deemed advisable by the Board, the Board may delegate to the manager any of its day to day management and maintenance duties and powers under these Bylaws, provided that the Executive Director or General Manager shall, at all times, remain subject to the general control of the Board.

Section 3. Corporate Seal. The Corporation shall have a corporate seal in circular form having written in its circumference the words Ontario Youth Activities League, Incorporated July __, 2017, State of California.

Section 4. Periodic Regulatory Filings.

(a) Secretary of State. As and when required by Section 6210 of the California Nonprofit Corporation Law, the Corporation shall file with the Secretary of State of the State of California, on the prescribed form, a statement setting forth the authorized number of directors, the names and the complete business or residence addresses of all incumbent directors, the names and complete business or residence addresses of the Chief Executive Officer, Secretary and Chief Financial Officer, the street address of its principal office in this state, together with designation of the agents of the Corporation for the purpose of service of process.

The statement must be filed no earlier than March 1 and no later than July 31 of the year in which the filing is required. In addition, the Corporation must also file a statement if at any time before the required biennial filing is due the information provided in the previously filed statement has changed.

(b) Attorney General. Within thirty (30) days of first receiving property, the Corporation shall file with the Attorney General an initial registration form, setting forth such information and attaching documents prescribed in accordance with rules and regulations of the Attorney General. Thereafter, the Corporation shall renew its registration annually no later than the fifteenth (15th) day of the fourth (4th) month after the close of the calendar year.

Section 5. Indemnification of Corporate Agents.

(a) Any person who was or is a director, officer, employee or other agent of the Corporation (collectively "agent") may be indemnified by the Corporation for any claims, demands, causes of action, expenses or liabilities arising out of or pertaining to, the Agent's service to or on behalf of the Corporation to the full extent permitted by California Corporations Code Section 5238.

(b) The Corporation shall have power to purchase and maintain insurance on behalf of any agent of the Corporation against any liability asserted against or incurred by the agent in such a capacity or arising out of the agent's status as such whether or not the Corporation would have the power to indemnify the agent against such liability under Section 5238 of the Corporations Code; provided, however, that the corporation shall have no power to purchase and maintain such insurance to indemnify any agent of the corporation for a violation of Section 5233 of the California Nonprofit Public Benefit Corporation Law.

Section 6. Alleged Failure to Discharge Duties: No Monetary Liability. Except as provided in Section 5233 or 5237 of the California Nonprofit Public Benefit Corporation Law, there is no monetary liability on the part thereof, and no cause of action for damages shall arise against any non-paid director, including any non-paid director who is also a non-paid officer, of this Corporation based upon any alleged failure to discharge the person's duties as director or officer if the duties are performed in a manner that meets all of the following criteria:

- (a) The duties are performed in good faith.
- (b) The duties are performed in a manner such that the director believes to be in the best interest of the Corporation.

The duties are performed with such care, including reasonable inquiry, as an ordinarily prudent person in a like position would use under such similar circumstances.

Section 7. Personal Liability of Volunteer Director or Officer for Negligence.

(a) Except as provided in subparagraph (c), below there shall be no personal liability to a third party on the part of a volunteer director or volunteer executive committee officer of this Corporation caused by the director's negligent act or omission in the performance of that person's duties as a director or officer, if all of the following conditions are met:

- (i) The act of omission was within the scope of the director's or executive committee officer's duties.
- (ii) The act or omission was performed in good faith.
- (iii) The act or omission was not reckless, wanton, intentional, or grossly negligent.
- (iv) Damages caused by the act or omission are covered pursuant to a liability insurance policy issued to the Corporation, either in the form of a general liability policy or a director's and officers liability policy, or personally to the director or executive committee officer. In the event that the damages are not covered by a liability insurance policy, the volunteer director or volunteer executive committee officer shall not be personally liable for the damages if the Board of Directors and the person had made all reasonable efforts in good faith to obtain liability insurance.

(b) For the purpose of this section, "volunteer" means the rendering of services without compensation. "Compensation" means remuneration whether by the way of a salary, fee or other consideration for services rendered. However, the payment of per diem, mileage, or other reimbursement expenses to a director or executive committee officer does not affect that person's status as a volunteer within the meaning of this section.

(c) This section does not eliminate or limit the liability of a director or officer for any of the following:

- (i) Any liability with respect to self-dealing transactions as provided in Section 5233 of the California Nonprofit Public Benefit Law or any liability with respect to certain prohibited distributions, loans, "guarantees" as provided in section 5237 of the California Nonprofit Public Benefit Law.
- (ii) In any action or proceedings brought by the California Attorney General.

Section 8. Gifts and Contributions. The Board of Directors may accept on behalf of the Corporation any contribution, gift, bequest or devise for the general purpose of the Corporation.

Section 9. Inspection by Public. In accordance with section 6104 of the Code, copies of the Corporation's application for tax exemption and any papers submitted in support of such application shall be made available by the Corporation for inspection at the request of any individual during regular business hours at the Corporation's principal place of business and at any regularly maintained regional or district office of the Corporation having three or more employees.

Section 10. Interpretation and Construction. Any conflict between these Bylaws and the Articles of Incorporation shall be resolved in favor of the Articles of Incorporation. Unless the context requires otherwise, the general provisions, rules of construction and definitions in the California Nonprofit Public Benefit Corporation Law shall govern the construction of these Bylaws.

Section 11. Dissolution. The Corporation shall not be voluntarily dissolved, except by approval of the Board. In the event of dissolution of the Corporation in any manner and for any cause, after the payment or adequate provision for the payment of all of its debts and liabilities, all of the remaining funds, assets and properties of the Corporation shall be paid or distributed as provided for in the Articles of Incorporation.

**ARTICLE XI
Amendment**

Section 1. Adoption, Amendment, or Repeal of Bylaws. Subject to the provisions of Section 5150 of the Corporations Code of the State of California, Bylaws may be adopted, amended, or repealed (1) by a majority of directors at any meeting of the Board of Directors provided that due notice has been given to all directors of the change of changes proposed in the Bylaws or (2) by the written assent of all directors. The notice required by this shall in all respects comply with that notice required by Article V, Section 3 of these Bylaws for notice to members of the Board of Directors in case of a special meeting of said Board.

DRAFT

CERTIFICATE OF SECRETARY

The undersigned, secretary of the Corporation known as the Ontario Youth Activities League, Inc. does hereby certify that the above and foregoing Bylaws consisting of 14 pages, were duly adopted by written ballot of the members of said corporation on the __ day of _____, and that they now constitute said Bylaws.

By: _____

CITY OF ONTARIO

Agenda Report
June 20, 2017

SECTION:
CONSENT CALENDAR

SUBJECT: A CONSTRUCTION CONTRACT FOR THE REPLACEMENT AND INSTALLATION OF A TREMCO ROOF SYSTEM AT THE ONTARIO PUBLIC WORKS ADMINISTRATION FACILITY

RECOMMENDATION: That the City Council award Contract No. MS 1617-6 to Best Contracting Services, Inc., of Gardena, California, for the replacement and installation of a new Tremco Roof System at the Ontario Public Works Administration Facility in the amount of \$152,850 plus a 15% contingency (\$22,927) for a total amount of \$175,777; authorize the City Manager to execute said contract (on file in the Records Management Department), and authorize the filing of the notice of completion at the conclusion of all construction activities related to the project.

COUNCIL GOALS: Operate in a Businesslike Manner
Invest in the City's Infrastructure (Water, Streets, Sewers, Parks, Storm Drains and Public Facilities)

FISCAL IMPACT: If approved, the appropriations for this project will be included as an amendment to the Fiscal Year 2017-18 Capital Improvement Projects fund in the amount of \$175,777 for the roof replacement and installation. The recommended contract authorization is \$152,850 plus a 15% contingency (\$22,927) for a total amount of \$175,777.

BACKGROUND: Approximately 4,300 square feet of the existing roof located over the Ontario Public Works Administration Facility has recently required substantially increased maintenance due to deterioration and is approximately 25 years old. The replacement roof is an energy-efficient "Cool Roof" that meets California Title 24 specifications. The new roof also has better drainage, lower roof-top and interior building temperatures, which increases both life expectancy and reduces energy costs.

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

Prepared by: Pat Malloy
Department: Municipal Services

City Manager
Approval: 

Submitted to Council/O.H.A. 04/20/2017

Approved: _____

Continued to: _____

Denied: _____

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The City solicited bids, and on May 26, 2017, five bids were received for the replacement and installation of a Tremco Roof at the Public Works Administration Facility. The five bids received are summarized below:

<u>Vendor</u>	<u>Location</u>	<u>Bid Amount</u>
Best Contracting Services, Inc.	Gardena, CA	\$152,850
Bishop Inc.	Orange, CA	\$156,510
Rite-Way Roof Corporation	Fontana, CA	\$174,770
Chapman Coast Roof Company	Fullerton, CA	\$213,347
Commercial Roofing Systems	Arcadia, CA	\$268,888

Best Contracting Services, Inc. submitted the lowest responsive bid and has performed similar roof replacement and installation at other municipalities in a timely manner.

The roof construction project will commence on July 10, 2017, and will be completed by the end of August 2017.

CITY OF ONTARIO

Agenda Report
June 20, 2017

SECTION:
CONSENT CALENDAR

SUBJECT: A MAINTENANCE SERVICE AGREEMENT FOR STAND-BY GENERATOR MAINTENANCE AND REPAIR SERVICES

RECOMMENDATION: That the City Council authorize the City Manager to execute a three-year Maintenance Service Agreement (on file in the Records Management Department) with AG Engineering Inc. of Rancho Cucamonga, California, for an annual general maintenance cost of \$87,184; and authorize the City Manager to extend the agreement for up to two additional years consistent with City Council approved budgets.

COUNCIL GOALS: Operate in a Businesslike Manner
Invest in the City's Infrastructure (Water, Streets, Sewers, Parks, Storm Drains and Public Facilities)

FISCAL IMPACT: AG Engineering Inc., is to be compensated \$72,653 plus 20% contingency of \$14,531 for a total of \$87,184 annually for general maintenance and urgency repairs at the rates set forth in the respective three-year agreement for the term ending June 30, 2020, unless earlier terminated by the City. The fee structures will remain unchanged for the duration of the agreement. Total compensation and authorized reimbursements paid to the contractor by the City, shall not exceed the amounts allocated in the approved operating budget for each fiscal year. The costs for services will be funded from the Fleet Services annual operating budget and will be included in the Proposed Fiscal Year 2017-18 operating budget, if approved.

At the City's discretion, two additional one-year extensions may be exercised. Pricing for these future years will be negotiated, but any increase will be limited to a maximum of 4% per year. Future contracting actions will be commensurate with City Council authorized work programs and approval of appropriations in the budgets for the respective future years.

BACKGROUND: The City has 24 emergency generators located at City Hall, Police Department, all Fire Stations, Revenue Services, Municipal Services Center, four water well sites, two sewage lift stations and four portable trailers. Each emergency generator consists of a diesel engine, an electrical generator and a series of relays and controls. These units are automatically activated whenever there is a

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

Prepared by: Victor Moraga
Department: Municipal Services

City Manager Approval: 

Submitted to Council/O.H.A. 04/20/2017

Approved: _____

Continued to: _____

Denied: _____

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loss of electrical power. Once activated, they provide electricity to operate building systems and equipment that are necessary to provide essential services to the community. This agreement is for the monthly preventive maintenance and recurring testing that is required to ensure these emergency generators and related systems are a reliable source of back up electric power when needed.

The City solicited proposals from seventeen vendors in May 2017 for Generator Maintenance and Repair Services. Proposals were received from the following:

Company	Location	Amount
AG Engineering, Inc.	Rancho Cucamonga, CA	\$217,960
Valley Power Services	City of Industry, CA	\$322,363
Global Power	Lakeside CA	\$379,271
Delta Power	Santa Ana, CA	\$382,269
Duthie Power Services	Long Beach, CA	\$596,771

After reviewing the responses, staff determined that AG Engineering Inc. submitted a proposal that met all the specifications required of the maintenance service agreement. Staff recommends award to AG Engineering Inc. based on the proposal, credentials, pricing, references, and ability to respond to urgencies in a timely manner.

CITY OF ONTARIO

Agenda Report
June 20, 2017

SECTION:
CONSENT CALENDAR

SUBJECT: APPROVAL OF THE CITY OF ONTARIO HOME INVESTMENT PARTNERSHIPS PROGRAM POLICIES AND PROCEDURES MANUAL INCLUDING THE VIOLENCE AGAINST WOMEN ACT (VAWA) EMERGENCY TRANSFER PLAN

RECOMMENDATION: That the City Council takes the following actions:

- (A) Approve and adopt the City's HOME Investment Partnerships Program (HOME Program) Policies and Procedures Manual; and
- (B) That the Board of Directors of the Ontario Housing Authority adopt the VAWA (Violence Against Women Act) Emergency Transfer Plan included in the City's HOME Program Policies and Procedures Manual.

COUNCIL GOALS: Pursue City's Goals and Objectives by Working with Other Governmental Agencies

FISCAL IMPACT: None.

BACKGROUND: The City has been designated by the U.S. Department of Housing and Urban Development (HUD) as a Participating Jurisdiction (PJ) that receives an allocation of HOME Investment Partnerships Program (HOME) funds annually. HOME regulations at 24 CFR 92.504 require PJs to adopt written policies and procedures for each of its HOME activities that include at a minimum the following policies and guidelines: underwriting and subsidy layering, resale and recapture, written rehabilitation standards, monitoring and risk assessment, ongoing property inspection, identification of the definition of income, affirmative marketing, and minority and women business enterprise.

In addition, the 2013 Reauthorization of the Violence Against Women Act (VAWA) requires that HOME PJs adopt an Emergency Transfer Plan to address requests for emergency transfers from HOME Program participants or tenants who are victims of domestic violence, dating violence, sexual assault, or

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

Prepared by: Katryna Gonzalez
Department: Housing and Municipal Services

City Manager
Approval: 

Submitted to Council/O.H.A. 06/20/2017
Approved: _____
Continued to: _____
Denied: _____

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stalking that meet the definition for housing protection under VAWA. The City's Emergency Transfer Plan has been added to the HOME Program Policies and Procedures Manual.

Staff is also recommending that the Ontario Housing Authority adopt the City's approved Emergency Transfer Plan. This would allow tenants residing in Authority-owned permanent affordable housing units to receive the housing protections afforded by VAWA. This action would provide another tool to the Authority in their ongoing efforts in partnership with Mercy House Living Centers within the Ontario Continuum of Care to meet the goals of providing stable permanent housing.

CITY OF ONTARIO

Agenda Report
June 20, 2017

SECTION:
CONSENT CALENDAR

SUBJECT: A RESOLUTION ESTABLISHING THE ANNUAL SPECIAL TAX WITHIN COMMUNITY FACILITIES DISTRICT NO. 9 (EDENGLLEN) FOR FISCAL YEAR 2017-18

RECOMMENDATION: That the City Council adopt a resolution establishing the annual special tax within Community Facilities District No. 9 (Edenglen) for Fiscal Year 2017-18.

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

FISCAL IMPACT: Special tax revenue will be generated in the amount of \$549,756 to fund City services, administration and incidental expenses.

BACKGROUND: On March 20, 2007, the City Council, in accordance with the Mello-Roos Act, took the initial steps in the formation of Community Facilities District No. 9 ("District") with the adoption of Resolution No. 2007-036, declaring the City's intention to establish the District and to authorize the levy of special taxes, and Resolution No. 2007-037, to issue bonds for the District. On May 1, 2007, the City Council adopted Resolution No. 2007-056 establishing the formation of the District.

Upon a successful property owner election, the City Council adopted Ordinance No. 2860 on May 15, 2007, authorizing the levy of special taxes for the District to finance facilities (Special Tax A) and to fund City services (Special Tax B). Due to the downturn in the housing market, Edenglen Ontario LLC, the developer, retracted its request for bond financing of facilities. On October 16, 2007, the City Council adopted Resolution No. 2007-120 determining that Special Tax A for facilities cease to be levied. Special Tax B for City services remains in full force and effect.

The District, as shown on the boundary map, is within the westerly portion of the Edenglen Specific Plan development within the New Model Colony. The Edenglen Specific Plan addresses the

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. 06/20/2017

Approved: _____

Continued to: _____

Denied: _____

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development of approximately 160 acres and is generally located on the south side of Riverside Drive, north of Chino Avenue, west of Milliken Avenue, and east of Mill Creek Avenue. The residential portion of the development, which comprises the District, is approximately 80 acres and is expected to consist of 310 single-family units and 274 multi-family units at build-out.

Special Tax B is levied each fiscal year to fund authorized services and administrative expenses associated with administering the District. The authorized services to be funded from special taxes are police protection services, fire protection and suppression services, ambulance and paramedic services, maintenance of parks, parkways and open space and flood and storm protection services.

The adoption of a resolution by the City Council is required annually to establish the special tax rates to be levied. Fiscal Year 2008-09 was the first year that this special tax was levied. Pursuant to the Rate and Method of Apportionment of Special Tax, as approved by the property owners, beginning on July 1, 2010, and annually thereafter, the maximum annual tax rates shall be increased by an amount equal to 2% of the amount in effect the previous Fiscal Year. The Fiscal Year 2016-17 tax rates and the maximum and proposed annual tax rates for Fiscal Year 2017-18 are as follows:

Annual Tax Rates

Land Use	Tax Zone	FY 2016-17 Annual Tax Rates		FY 2017-18 Maximum Tax Rates		FY 2016-17 Proposed Annual Tax Rates		No. of Units or SF	Totals
Residential	1	\$ 1,424.37	per Unit	\$ 1,452.86	per Unit	\$1,452.86	per Unit	221	\$321,082.06
Residential	2	\$ 1,115.37	per Unit	\$ 1,137.68	per Unit	\$1,137.68	per Unit	201	\$228,673.68
Non-Residential	N/A	\$ 0.27	per SF	\$ 0.28	per SF	\$ 0.28	per SF	0	\$ -
Total Annual Tax									\$549,755.74

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, ACTING IN ITS CAPACITY AS THE LEGISLATIVE BODY OF COMMUNITY FACILITIES DISTRICT NO. 9 (EDENGLLEN), ESTABLISHING THE ANNUAL SPECIAL TAX FOR FISCAL YEAR 2017-18.

WHEREAS, the City Council of the City of Ontario, California, has initiated proceedings, held a public hearing, conducted an election and received a favorable vote from the qualified electors relating to the levy of a special tax in a community facilities district, all as authorized pursuant to the terms and provisions of the "Mello-Roos Community Facilities Act of 1982" (the "Act"), being Chapter 2.5, Part 1, Division 2, Title 5, of the Government Code of the State of California. This Community Facilities District is designated as City of Ontario Community Facilities District No. 9 (Edenglen) (hereinafter referred to as "District"); and

WHEREAS, the City Council did, acting as the legislative body of the District, by the enactment of Ordinance No. 2860 (the "Special Tax Ordinance") as authorized by Section 53340 of the Government Code of the State of California, authorize the levy of a special tax to pay for costs and expenses related to the District, and this legislative body is desirous to establish the specific rates of the special tax to be collected for the specified Fiscal Year.

NOW, THEREFORE, IT IS HEREBY RESOLVED AS FOLLOWS:

SECTION 1. The above recitals are all true and correct.

SECTION 2. That the specific rates and amount of the special tax to be collected to pay for the costs and expenses (as defined in Section 5 below) for the referenced Fiscal Year for the District is hereby determined and established as set forth in the attached referenced and incorporated Exhibit "A."

SECTION 3. That the rates as set forth above does not exceed the amount as previously authorized by the Special Tax Ordinance of this legislative body, and is not in excess of that as previously approved by the qualified electors of the District.

SECTION 4. The City Manager is authorized and directed to file a certified copy of this Resolution, together with a list of all parcels subject to the special tax for the above specified Fiscal Year and the amount of the special tax to be levied against each such parcel, with the County Auditor/Tax Collector of the County of San Bernardino on or before August 10; provided, however, that such may be filed after August 10, but not later than August 21, if the City Manager obtains the prior written consent of such County Auditor/Tax Collector.

SECTION 5. That the proceeds of the special tax shall be used only to pay the following costs and expenses:

- (a) Costs of those services authorized to be financed by the District;
- (b) Costs incurred by the District and the City in the annual levy and collection of the special taxes;
- (c) Administrative costs of the District; and
- (d) Any incidental expenses authorized to be financed by the District.

SECTION 6. 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 same procedure and sale in cases of any delinquency for ad valorem taxes, and the County Auditor/Tax Collector is hereby authorized to deduct reasonable administrative costs incurred in collecting any said special tax.

SECTION 7. All monies above collected shall be paid into the Community Facilities District No. 9 Fund.

SECTION 8. The County Auditor/Tax Collector is hereby directed to enter in the next County assessment roll on which taxes will become due, opposite each lot or parcel of land affected in a space marked "Ontario C.F.D. No. 9 Special Tax," or by any other suitable designation, the installment of the special tax.

SECTION 9. The County Auditor/Tax Collector shall then, at the close of the tax collection period, promptly render to the District a detailed report showing the amount and/or amounts of such special tax installments, interests, penalties, and percentages so collected and from what property collected, and also provide a statement of any percentages retained for the expense of making any such collection.

SECTION 10. This legislative body hereby certifies that the levy of the special tax was authorized in accordance with the provisions of the Act, and complies with the requirements of Articles XIII A and XIII C of the Constitution of the State of California.

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

PASSED, APPROVED, AND ADOPTED this 20th day of June 2017.

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. 2017- was duly passed and adopted by the City Council of the City of Ontario at their regular meeting held June 20, 2017 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. 2017- duly passed and adopted by the Ontario City Council at their regular meeting held June 20, 2017.

SHEILA MAUTZ, CITY CLERK

(SEAL)

EXHIBIT "A"

**CITY OF ONTARIO
COMMUNITY FACILITIES DISTRICT NO. 9 (EDENGLLEN)**

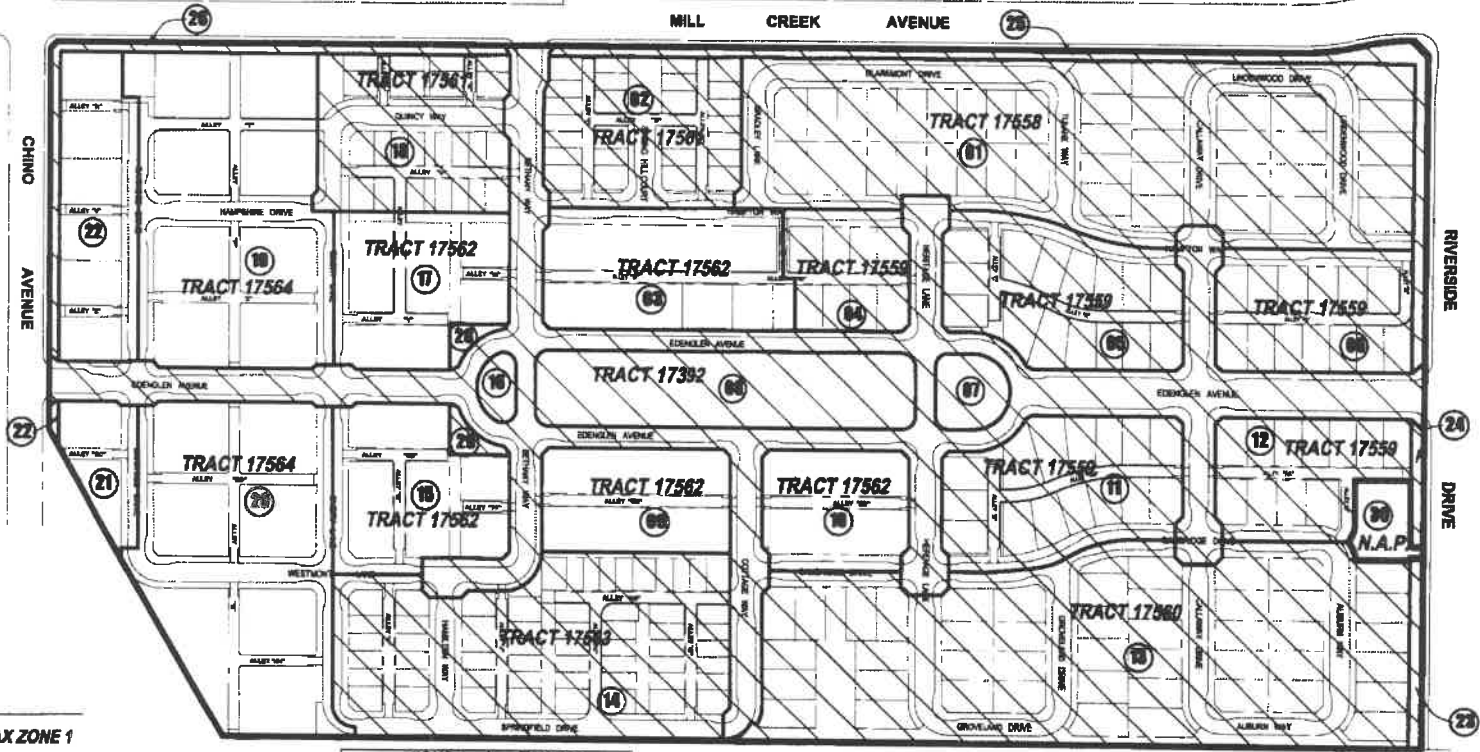
**SPECIAL TAX RATES
FOR FISCAL YEAR 2017-18**

Land Use	Tax Zone	Annual Tax Rates
Residential	1	\$1,452.86 per Unit
Residential	2	\$1,137.68 per Unit
Non-Residential	N/A	\$0.28 per SF

'N/A' means not applicable. 'SF' means Square Footage and 'Unit' means residential dwelling unit, as defined in the Rate and Method of Apportionment of Special Tax for the District.

**PROPOSED BOUNDARIES OF
CITY OF ONTARIO COMMUNITY FACILITIES DISTRICT NO. 9 (EDENGLLEN)
COUNTY OF SAN BERNARDINO
STATE OF CALIFORNIA**

GENERAL NOTE: PARCELS PER ASSESSOR'S MAP BOOK 0218 PAGE 92



- LEGEND**
- TAX ZONE 1
 - TAX ZONE 2
 - CFD BOUNDARY
 - PARCEL BOUNDARY
 - 0218-921-XX PARCEL NUMBER

TAX ZONE 1	TAX ZONE 2
TRACT 17392	TRACT 17562
TRACT 17558	TRACT 17564
TRACT 17559	
TRACT 17560	
TRACT 17561	
TRACT 17563	



NOTE: BOUNDARY MAP NOT TO SCALE

CITY OF ONTARIO

Agenda Report
June 20, 2017

SECTION:
CONSENT CALENDAR

SUBJECT: A RESOLUTION ESTABLISHING THE ANNUAL SPECIAL TAX WITHIN COMMUNITY FACILITIES DISTRICT NO. 10 (ONTARIO AIRPORT TOWERS) FOR FISCAL YEAR 2017-18

RECOMMENDATION: That the City Council adopt a resolution establishing the annual special tax within Community Facilities District No. 10 (Ontario Airport Towers) for Fiscal Year 2017-18.

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

FISCAL IMPACT: Special tax revenue will be generated in the amount of \$11,235 to fund City services, administration and incidental expenses.

BACKGROUND: On June 5, 2007, the City Council, in accordance with the Mello-Roos Act, took the initial steps in the formation of Community Facilities District No. 10 ("District") with the adoption of Resolution No. 2007-066, declaring the City's intention to establish the District and to authorize the levy of a special tax, and Resolution No. 2007-067, to issue bonds for the District. On July 17, 2007, the City Council adopted Resolution No. 2007-093, forming the District. Upon a successful property owner election, on August 21, 2007, the City Council adopted Ordinance No. 2871, authorizing the levy of a special tax for the District to finance facilities and City services related to the Ontario Airport Towers project. The District boundaries are shown on the boundary map.

Subsequent to the initial proceedings forming the District, authorizing the issuance of bonds and the levy of the special tax, the City Council conducted several additional proceedings related to amending the rate and method of apportionment of the special tax, reauthorizing the issuance of bonds, and reauthorizing the levy of the special tax. On March 17, 2009, the City Council adopted Ordinance No. 2902 which authorized the levy of a special tax pursuant to the last amended rate and method of apportionment of the special tax. Ordinance No. 2902 also rescinded the previously adopted special tax ordinances.

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. 06/20/2017

Approved: _____

Continued to: _____

Denied: _____

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The public infrastructure facilities required for the development of the Ontario Airport Towers project were originally planned to be financed with the issuance of bonds by the District. However, due to the economic downturn, the planned issuance of bonds was abandoned. The special tax for City services remains in full force and effect.

The Ontario Airport Towers project addresses the development of approximately 25 acres and is generally located on the south side of Interstate 10 Freeway, north of Guasti Road, east of Archibald Avenue and west of Turner Avenue. The project is planned for development in 5 phases: 850,000 square feet of Class A office space (five buildings), 10,000 square feet of retail space, and a 175 room hotel.

The special tax for City services is levied each fiscal year to fund services and administrative expenses as follows: police protection services, fire protection and rescue services and parkway and open space maintenance services; and all costs related to financing and administering the services, the determination of the amount of special taxes to be levied and costs otherwise incurred in order to carry out the authorized purposes of the District and administering the District. Special tax collections and expenses for the District were \$10,450 and \$10,780 respectively, during Fiscal Year 2015-2016, which is the most recent fiscal year ended.

The adoption of a resolution by the City Council is required annually to establish the special tax rate to be levied. Fiscal Year 2008-09 was the first year that the special tax for City services was levied. Pursuant to the Rate and Method of Apportionment of Special Tax that was approved by the property owners, beginning on July 1, 2008, and annually thereafter, the maximum annual Services Special tax rate shall be increased by an amount equal to the greater of (i) the increase, if any, in the Consumer Price Index for the Los Angeles-Riverside-Orange County Area for All Urban Consumers, or (ii) 2% of the amount in effect the previous Fiscal Year. The proposed tax rate for Fiscal Year 2017-18 represents a 2.1% increase over the previous Fiscal Year. The assessed tax rate for Fiscal Year 2016-17, and the maximum and proposed tax rate for Fiscal Year 2017-18, are as follows:

ANNUAL TAX RATE

FY 2016-17 Annual Tax Rate	FY 2017-18 Maximum Tax Rate	FY 2017-18 Proposed Annual Tax Rate	Taxable Acreage	Total
\$ 580.02 /acre	\$ 592.20 /acre	\$ 592.20 /acre	18.971	\$ 11,234.63

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, ACTING IN ITS CAPACITY AS THE LEGISLATIVE BODY OF COMMUNITY FACILITIES DISTRICT NO. 10 (ONTARIO AIRPORT TOWERS), ESTABLISHING THE ANNUAL SERVICES SPECIAL TAX FOR FISCAL YEAR 2017-18.

WHEREAS, the City Council of the City of Ontario, California, has initiated proceedings, held a public hearing, conducted an election and received a favorable vote from the qualified electors relating to the levy of a special tax in a community facilities district, all as authorized pursuant to the terms and provisions of the "Mello-Roos Community Facilities Act of 1982" (the "Act"), being Chapter 2.5, Part 1, Division 2, Title 5, of the Government Code of the State of California. This Community Facilities District is designated as "COMMUNITY FACILITIES DISTRICT NO. 10 OF THE CITY OF ONTARIO (ONTARIO AIRPORT TOWERS)" (hereinafter referred to as "District" or "Community Facilities District No. 10"); and

WHEREAS, the City Council did, acting as the legislative body of the District, by the enactment of Ordinance No. 2902 (the "Special Tax Ordinance") as authorized by Section 53340 of the Government Code of the State of California, authorize the levy of a services special tax (the "Services Special Tax") and a facilities special tax (the "Facilities Special Tax") to pay for costs and expenses related to the District, and this legislative body is desirous to establish the specific rate of the Services Special Tax to be collected for the specified Fiscal Year.

NOW, THEREFORE, IT IS HEREBY RESOLVED AS FOLLOWS:

SECTION 1. The above recitals are all true and correct.

SECTION 2. That the specific rate and amount of the Services Special Tax to be collected to pay for the costs and expenses (as defined in Section 5 below) for the referenced Fiscal Year for the District is hereby determined and established as set forth in the attached referenced and incorporated Exhibit "A."

SECTION 3. That the rate as set forth above does not exceed the amount as previously authorized by Ordinance of this legislative body, and is not in excess of that as previously approved by the qualified electors of the District.

SECTION 4. The City Manager is authorized and directed to file a certified copy of this Resolution together with a list of all parcels subject to the Services Special Tax for the above specified Fiscal Year and the amount of the special tax to be levied against each such parcel, with the County Auditor/Tax Collector of the County of San Bernardino on or before August 10; provided, however, that such may be filed after August 10, but not later than August 21, if the City Manager obtains the prior written consent of such County Auditor/Tax Collector.

SECTION 5. That the proceeds of the special tax shall be used only to pay the following costs and expenses:

- (a) police protection services, fire protection and rescue services and parkway and open space maintenance services (the "Services"); and
- (b) all costs related to financing and administering the Services, the determination of the amount of special taxes to be levied and costs otherwise incurred in order to carry out the authorized purposes of the District and administering the District (the "Services Incidental Expenses").

SECTION 6. The Services 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 same procedure and sale in cases of any delinquency for ad valorem taxes, and the County Auditor/Tax Collector is hereby authorized to deduct reasonable administrative costs incurred in collecting any said Services Special Tax.

SECTION 7. The County Auditor/Tax Collector is hereby directed to enter in the next County assessment roll on which taxes will become due, opposite each lot or parcel of land affected in a space marked "Ontario C.F.D. No. 10 Special Tax," or by any other suitable designation, the installment of the Services Special Tax.

SECTION 8. The County Auditor/Tax Collector shall then, at the close of the tax collection period, promptly render to the District a detailed report showing the amount and/or amounts of such Services Special Tax installments, interests, penalties, and percentages so collected and from what property collected, and also provide a statement of any percentages retained for the expense of making any such collection.

SECTION 9. This legislative body hereby certifies that the levy of the Services Special Tax was authorized in accordance with the provisions of the Act, and complies with the requirements of Articles XIII A and XIII C of the Constitution of the State of California.

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

PASSED, APPROVED, AND ADOPTED this 20th day of June 2017.

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. 2017- was duly passed and adopted by the City Council of the City of Ontario at their regular meeting held June 20, 2017 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. 2017- duly passed and adopted by the Ontario City Council at their regular meeting held June 20, 2017.

SHEILA MAUTZ, CITY CLERK

(SEAL)

EXHIBIT "A"

**CITY OF ONTARIO
COMMUNITY FACILITIES DISTRICT NO. 10
(ONTARIO AIRPORT TOWERS)**

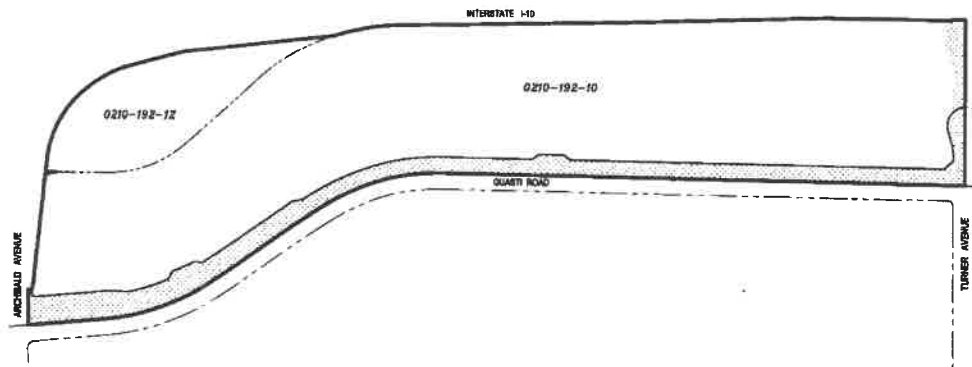
**SERVICES SPECIAL TAX RATE
FOR FISCAL YEAR 2017-18**

All Assessor's Parcels of Taxable Property within Community Facilities District No. 10 shall be taxed at the following special tax rate pursuant to the Rate and Method of Apportionment of Special tax, as amended:

FY 2017-18 Special Tax Rate: \$592.20 per Acre

Assessor's Parcel, Acre and Taxable Property shall all have the meanings as defined in the Rate and Method of Apportionment of Special tax, as amended.

PROPOSED BOUNDARIES OF
COMMUNITY FACILITIES DISTRICT NO. 10 OF
CITY OF ONTARIO
(ONTARIO AIRPORT TOWERS)
COUNTY OF SAN BERNARDINO
STATE OF CALIFORNIA



LEGEND	
	CFO BOUNDARY
	EXISTING PARCEL LINE
	PROPOSED RIGHT-OF-WAY
	EXEMPT AREA
	ASSESSOR'S PARCEL NUMBER



CITY OF ONTARIO

Agenda Report
June 20, 2017

SECTION:
CONSENT CALENDAR

SUBJECT: A RESOLUTION ESTABLISHING THE ANNUAL SPECIAL TAX WITHIN COMMUNITY FACILITIES DISTRICT NO. 13 (CALIFORNIA COMMERCE CENTER – PHASE IV) FOR FISCAL YEAR 2017-18

RECOMMENDATION: That the City Council adopt a resolution establishing the annual special tax within Community Facilities District No. 13 (California Commerce Center – Phase IV) for Fiscal Year 2017-18.

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

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

FISCAL IMPACT: Special tax revenue, required to pay the debt service on the District's outstanding bonds, administration and incidental expenses, will be generated in the amount of \$383,665.

BACKGROUND: On April 1, 2008, the City Council, in accordance with the Mello-Roos Act, took the initial steps in the formation of Community Facilities District No. 13 ("District") with the adoption of Resolution No. 2008-018, declaring the City's intention to establish the District and to authorize the levy of special taxes, and Resolution No. 2008-019, to issue bonds for the District. On May 6, 2008, the City Council adopted Resolution No. 2008-032 forming the District. The District is located along the south side of Francis Street, between Haven and Milliken Avenues, as shown on the boundary map.

Upon a successful property owner election, the City Council adopted Ordinance No. 2893 on June 3, 2008, authorizing the levy of special taxes in the District to finance facilities. The facilities are public infrastructure improvements required for the development of the California Commerce Center - Phase IV project, which was developed by SR Acquisition Corporation, LLC and Ontario Industrial, LLC (affiliates of the SARES REGIS Group and J.P. Morgan). The facilities include street improvements and utility connections on Francis Street between Haven Avenue and Dupont Street, and

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

Prepared by: Bob Chandler
Department: Management Services

City Manager
Approval: 

Submitted to Council/O.H.A. 06/20/2017

Approved: _____

Continued to: _____

Denied: _____

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the installation of new storm drain facilities to tie into the existing Lower Deer Creek storm drain system.

The California Commerce Center - Phase IV project addresses the development of approximately 100 acres and is generally located on the south side of Francis Street, east of Haven Avenue and west of Milliken Avenue. SR Acquisition Corporation, LLC and Ontario Industrial, LLC developed 6 parcels of warehouse industrial buildings comprising approximately 1.94 million square feet of floor space, and one parcel of commercial retail building(s) totaling approximately 20,000 square feet of floor space.

The public infrastructure facilities authorized to be funded by the special tax were fully completed by the developer and accepted by the City in January 2009. Bond proceeds have been fully expended and the District has no further obligation for funding the facilities.

The adoption of a resolution by the City Council is required annually to establish the special tax rates to be levied, until the bonds mature in 2038. Fiscal Year 2008-09 was the first year that the special tax was levied. Special tax collections and expenses for the District were \$369,475 and \$335,300 respectively, during Fiscal Year 2015-2016, which is the most recent fiscal year ended. The assessed tax rates for Fiscal Year 2016-17, and the maximum and proposed annual tax rates for Fiscal Year 2017-18, are as follows:

ANNUAL TAX RATES

Land Use Class	Description		FY 2016-17 Annual Tax Rates	FY 2017-18 Maximum Annual Tax Rates	FY 2017-18 Proposed Annual Tax Rates	Totals
1	Industrial	1,936,142 Bldg. SF	\$ 0.1928 per SF	\$ 0.2111 per SF	\$ 0.1928 per SF	\$ 373,383.05
2	Commercial	2.05 Acre Parcel	\$ 10,283.17 per Parcel	\$ 11,275.00 per Parcel	\$ 10,282.23 per Parcel	\$ 10,282.23
Total Annual Tax						\$ 383,665.28

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, ACTING IN ITS CAPACITY AS THE LEGISLATIVE BODY OF COMMUNITY FACILITIES DISTRICT NO. 13 (CALIFORNIA COMMERCE CENTER – PHASE IV), ESTABLISHING THE ANNUAL SPECIAL TAX FOR FISCAL YEAR 2017-18.

WHEREAS, the City Council of the City of Ontario, California, has initiated proceedings, held a public hearing, conducted an election and received a favorable vote from the qualified electors relating to the levy of a special tax in a community facilities district, all as authorized pursuant to the terms and provisions of the "Mello-Roos Community Facilities Act of 1982" (the "Act"), being Chapter 2.5, Part 1, Division 2, Title 5, of the Government Code of the State of California. This Community Facilities District is designated as "COMMUNITY FACILITIES DISTRICT NO. 13 OF THE CITY OF ONTARIO (CALIFORNIA COMMERCE CENTER – PHASE IV)" (hereinafter referred to as "District" or "Community Facilities District No. 13"); and

WHEREAS, the City Council did, acting as the legislative body of the District, by the enactment of Ordinance No. 2893 (the "Special Tax Ordinance") as authorized by Section 53340 of the Government Code of the State of California, authorize the levy of a special tax to pay for costs and expenses related to the District, and this legislative body is desirous to establish the specific rates of the special tax to be collected for the specified Fiscal Year.

NOW, THEREFORE, IT IS HEREBY RESOLVED AS FOLLOWS:

SECTION 1. The above recitals are all true and correct.

SECTION 2. That the specific rates and amount of the special tax to be collected to pay for the costs and expenses (as defined in Section 5 below) for the referenced Fiscal Year for the District is hereby determined and established as set forth in the attached referenced and incorporated Exhibit "A."

SECTION 3. That the rates as set forth above do not exceed the amount as previously authorized by Ordinance of this legislative body, and is not in excess of that as previously approved by the qualified electors of the District.

SECTION 4. The City Manager is authorized and directed to file a certified copy of this Resolution together with a list of all parcels subject to the special tax for the above specified Fiscal Year and the amount of the special tax to be levied against each such parcel, with the County Auditor/Tax Collector of the County of San Bernardino on or before August 10; provided, however, that such may be filed after August 10, but not later than August 21, if the City Manager obtains the prior written consent of such County Auditor/Tax Collector.

SECTION 5. That the proceeds of the special tax shall be used only to pay the following costs and expenses:

- (a) Debt service on all bonds or other indebtedness issued to finance those facilities and incidental expenses authorized to be financed by the District (including the costs of any credit enhancement);
- (b) Costs of those facilities authorized to be financed by the District;
- (c) Costs incurred by the District and the City in the annual levy and collection of the special taxes;
- (d) Administrative costs of the District; and
- (e) Any amounts required to replenish any reserve funds established in association with bonds issued to finance those facilities and incidental expenses authorized to be financed by the District.

SECTION 6. 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 same procedure and sale in cases of any delinquency for ad valorem taxes, and the County Auditor/Tax Collector is hereby authorized to deduct reasonable administrative costs incurred in collecting any said special tax.

SECTION 7. All monies above collected shall be paid into a Special Tax Fund created and established in connection with the issuance of bonds by the District.

SECTION 8. The County Auditor/Tax Collector is hereby directed to enter in the next County assessment roll on which taxes will become due, opposite each lot or parcel of land affected in a space marked "Ontario C.F.D. No. 13 Special Tax," or by any other suitable designation, the installment of the special tax.

SECTION 9. The County Auditor/Tax Collector shall then, at the close of the tax collection period, promptly render to the District a detailed report showing the amount and/or amounts of such special tax installments, interests, penalties, and percentages so collected and from what property collected, and also provide a statement of any percentages retained for the expense of making any such collection.

SECTION 10. This legislative body hereby certifies that the levy of the special tax was authorized in accordance with the provisions of the Act, and complies with the requirements of Articles XIII A and XIII C of the Constitution of the State of California.

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

PASSED, APPROVED, AND ADOPTED this 20th day of June 2017.

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. 2017- was duly passed and adopted by the City Council of the City of Ontario at their regular meeting held June 20, 2017 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. 2017- duly passed and adopted by the Ontario City Council at their regular meeting held June 20, 2017.

SHEILA MAUTZ, CITY CLERK

(SEAL)

EXHIBIT "A"

**CITY OF ONTARIO
COMMUNITY FACILITIES DISTRICT NO. 13
(CALIFORNIA COMMERCE CENTER – PHASE IV)**

**SPECIAL TAX RATES
FOR FISCAL YEAR 2017-18**

Land Use Class	Description	Annual Tax Rates
1	Industrial	\$0.1928 per SF
2	Commercial	\$10,282.23 per Parcel

"SF" means Square Footage as defined in the Rate and Method of Apportionment of Special Tax for the District.

**PROPOSED BOUNDARIES OF
COMMUNITY FACILITIES DISTRICT NO. 13
OF THE CITY OF ONTARIO
(CALIFORNIA COMMERCE CENTER PHASE IV)
COUNTY OF SAN BERNARDINO
STATE OF CALIFORNIA**

(1) Filed in the office of the Clerk of the City of Ontario this 2nd day of April, 2008.

Traci R. McKinley
Traci R. McKinley, Assistant
Clerk of the City of Ontario,
California



(2) I hereby certify that the within map showing the proposed boundaries of Community Facilities District No. 13 of the City of Ontario (California Commerce Center Phase IV), County of San Bernardino, State of California, was approved by the City Council of the City of Ontario at a regular meeting thereof, held on the 1st day of April, 2008, by its Resolution No. 2008-018.

Traci R. McKinley
Traci R. McKinley, Assistant
Clerk of the City of Ontario,
California



(3) San Bernardino County Recorder's Certificate

This map has been filed under Document Number 2008-0149082, this 4th day of April, 2008, at 8:05 A.M., in Book 83 of Maps of Assessment and Community Facilities Districts at page 86, at the request of the City of Ontario in the amount of \$ 10.00.

Recorded by Original Book
County of San Bernardino
Book 2008-115320
Page 2008-115320

Larry Walker
Auditor/Controller-Recorder
County of San Bernardino

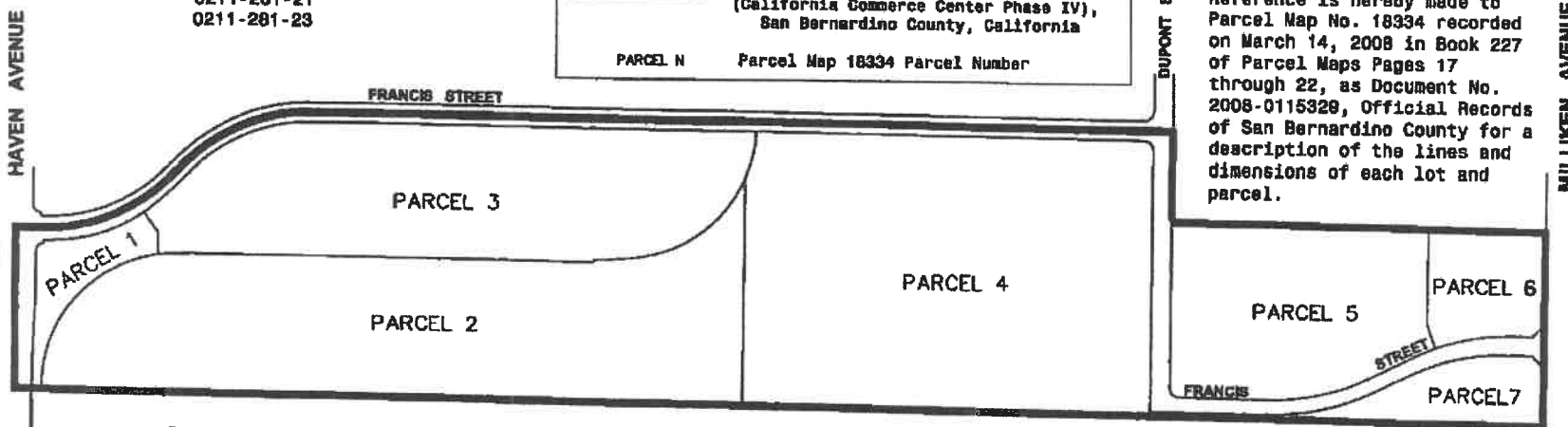
By: Diana T. Hernandez
Deputy Recorder

Assessor Parcel Numbers within the Boundaries of Community Facilities District No. 13 of the City of Ontario (California Commerce Center Phase IV):

- 0211-281-04
- 0211-281-21
- 0211-281-23

LEGEND

	Proposed Boundaries of Community Facilities District No. 13 of the City of Ontario (California Commerce Center Phase IV), San Bernardino County, California
PARCEL N	Parcel Map 18334 Parcel Number



Reference is hereby made to Parcel Map No. 18334 recorded on March 14, 2008 in Book 227 of Parcel Maps Pages 17 through 22, as Document No. 2008-0115320, Official Records of San Bernardino County for a description of the lines and dimensions of each lot and parcel.

CITY OF ONTARIO

Agenda Report
June 20, 2017

SECTION:
CONSENT CALENDAR

SUBJECT: A RESOLUTION ESTABLISHING THE ANNUAL SPECIAL TAX WITHIN COMMUNITY FACILITIES DISTRICT NO. 19 (COUNTRYSIDE PHASE 1 - SERVICES) FOR FISCAL YEAR 2017-18

RECOMMENDATION: That the City Council adopt a resolution establishing the annual special tax within City of Ontario Community Facilities District No. 19 (Countryside Phase 1 - Services) for Fiscal Year 2017-18.

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

FISCAL IMPACT: Special tax revenue will be generated in the amount of \$120,135 to fund City services, administration and incidental expenses.

BACKGROUND: On October 21, 2014, the City Council, in accordance with the Mello-Roos Act, took the initial steps in the formation of Community Facilities District No. 19 ("District") with the adoption of Resolution No. 2014-103, declaring the City's intention to establish the District and to authorize the levy of special taxes. On December 2, 2014, the City Council adopted Resolution No. 2014-117 establishing the formation of the District. Upon a successful property owner election, the City Council adopted Ordinance No. 3007 on December 16, 2014, authorizing the levy of special taxes for the District to finance City services expenses related to the Countryside Phase 1 - Services project.

The District, as shown on the boundary map, addresses the residential development of approximately 85 acres located north of Deer Creek Channel, south of Riverside Avenue, east of Cucamonga Creek channel Avenue, and west of Archibald Avenue. At build-out, the development will include 461 detached residential units.

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. 06/20/2017

Approved: _____

Continued to: _____

Denied: _____

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As adopted, the special tax for City services is to be levied each fiscal year, beginning in Fiscal Year 2017-18, to fund City services. The services authorized to be financed, in whole or in part, by City of Ontario Community Facilities District No. 19 (Countryside Phase 1 - Services) are as follows: police protection services, fire protection and suppression services, ambulance and paramedic services, maintenance and lighting of parks, parkways, streets, roads, open space and flood and storm drain protection services, and maintenance and operation of any real property or tangible property with an estimated useful life of five or more years that is owned by the City.

The adoption of a resolution by the City Council is required annually to establish the special tax rates to be levied. As noted, Fiscal Year 2017-18 will be the first year that the special tax is levied. Pursuant to the Rate and Method of Apportionment of Special Tax that was approved by the property owners, "...beginning on January 1, 2015, and annually thereafter, the maximum annual services special tax rate shall be increased at a rate equal to 4.0% of the amount in effect for the prior Fiscal Year." The assessed maximum and proposed annual tax rates for Fiscal Year 2017-18 are as follows:

Annual Tax Rates

	FY 2017-18 Maximum Tax Rates	FY 2017-18 Proposed Annual Tax Rates	No. of Units	Total
Single-Family Detached Unit	\$1,560.19	\$1,560.19	77	\$120,134.63
Multiple Family Unit	\$1,352.09	\$1,352.09	-	\$ -
Gated Apartment Community Unit	\$1,133.86	\$1,133.86	-	\$ -
Non-Residential Property	\$ 0.2925	\$ 0.2925	-	\$ -
Annual Tax Amount				\$120,134.63

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, ACTING IN ITS CAPACITY AS THE LEGISLATIVE BODY OF CITY OF ONTARIO COMMUNITY FACILITIES DISTRICT NO. 19 (COUNTRYSIDE PHASE 1 - SERVICES), ESTABLISHING THE ANNUAL SPECIAL TAX FOR FISCAL YEAR 2017-18.

WHEREAS, the City Council of the City of Ontario, California, has initiated proceedings, held a public hearing, conducted an election and received a favorable vote from the qualified electors relating to the levy of a special tax in a community facilities district, all as authorized pursuant to the terms and provisions of the "Mello-Roos Community Facilities Act of 1982" (the "Act"), being Chapter 2.5, Part 1, Division 2, Title 5, of the Government Code of the State of California. This Community Facilities District is designated as City of Ontario Community Facilities District No. 19 (Countryside Phase 1 - Services) (hereinafter referred to as "District"); and

WHEREAS, the City Council did, acting as the legislative body of the District, by the enactment of Ordinance No. 3007 (the "Special Tax Ordinance") as authorized by Section 53340 of the Government Code of the State of California, authorize the levy of a special tax to pay for costs and expenses related to the District, and this legislative body is desirous to establish the specific rates of the special tax to be collected for the specified Fiscal Year.

NOW, THEREFORE, IT IS HEREBY RESOLVED AS FOLLOWS:

SECTION 1. The above recitals are all true and correct.

SECTION 2. That the specific rates and amount of the special tax to be collected to pay for the costs and expenses (as defined in Section 5 below) for the referenced Fiscal Year for the District is hereby determined and established as set forth in the attached referenced and incorporated Exhibit "A."

SECTION 3. That the rates as set forth above does not exceed the amount as previously authorized by the Special Tax Ordinance of this legislative body, and is not in excess of that as previously approved by the qualified electors of the District.

SECTION 4. The City Manager is authorized and directed to file a certified copy of this Resolution, together with a list of all parcels subject to the special tax for the above specified Fiscal Year and the amount of the special tax to be levied against each such parcel, with the County Auditor/Tax Collector of the County of San Bernardino on or before August 10; provided, however, that such may be filed after August 10, but not later than August 21, if the City Manager obtains the prior written consent of such County Auditor/Tax Collector.

SECTION 5. That the proceeds of the special tax shall be used only to pay the following costs and expenses:

- (a) Costs of those services authorized to be financed by the District;
- (b) Costs incurred by the District and the City in the annual levy and collection of the special taxes;
- (c) Administrative costs of the District; and
- (d) Any incidental expenses authorized to be financed by the District.

SECTION 6. 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 same procedure and sale in cases of any delinquency for ad valorem taxes, and the County Auditor/Tax Collector is hereby authorized to deduct reasonable administrative costs incurred in collecting any said special tax.

SECTION 7. All monies above collected shall be paid into the Community Facilities District No. 19 Fund.

SECTION 8. The County Auditor/Tax Collector is hereby directed to enter in the next County assessment roll on which taxes will become due, opposite each lot or parcel of land affected in a space marked "Ontario C.F.D. No. 19 Special Tax," or by any other suitable designation, the installment of the special tax.

SECTION 9. The County Auditor/Tax Collector shall then, at the close of the tax collection period, promptly render to the District a detailed report showing the amount and/or amounts of such special tax installments, interests, penalties, and percentages so collected and from what property collected, and also provide a statement of any percentages retained for the expense of making any such collection.

SECTION 10. This legislative body hereby certifies that the levy of the special tax was authorized in accordance with the provisions of the Act, and complies with the requirements of Articles XIII A and XIII C of the Constitution of the State of California.

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

PASSED, APPROVED, AND ADOPTED this 20th day of June 2017.

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. 2017- was duly passed and adopted by the City Council of the City of Ontario at their regular meeting held June 20, 2017 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. 2017- duly passed and adopted by the Ontario City Council at their regular meeting held June 20, 2017.

SHEILA MAUTZ, CITY CLERK

(SEAL)

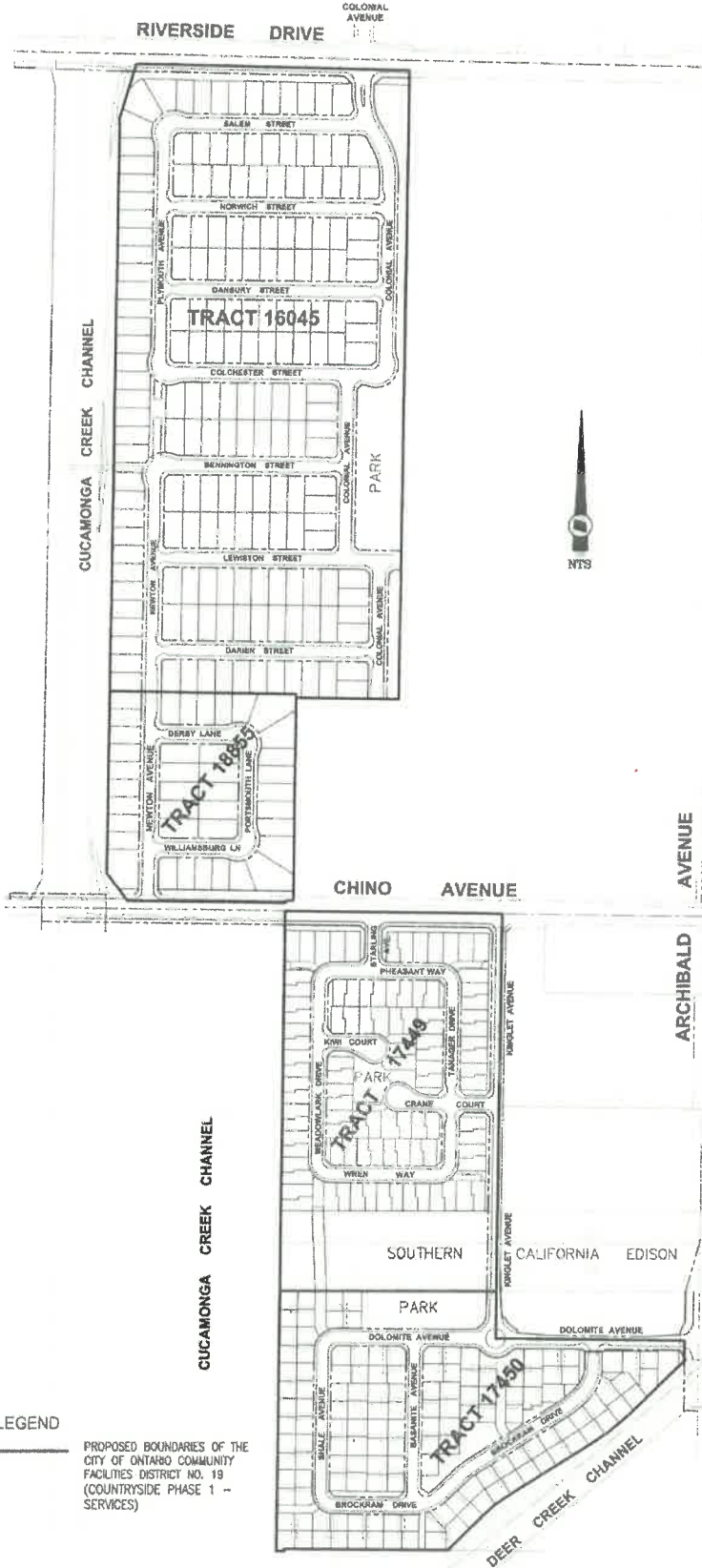
EXHIBIT "A"

**CITY OF ONTARIO
COMMUNITY FACILITIES DISTRICT NO. 19 (COUNTRYSIDE PHASE 1 - SERVICES)**

**SPECIAL TAX RATES
FOR FISCAL YEAR 2017-18**

Land Use	Annual Tax Rates
Single Family Detached Unit	\$1,560.19
Multiple Family Unit	\$1,352.09
Gated Apartment Unit	\$1,133.86
Non-Residential Property	\$ 0.2925

**PROPOSED BOUNDARIES OF
CITY OF ONTARIO
COMMUNITY FACILITIES DISTRICT NO. 19
(COUNTRYSIDE PHASE 1 - SERVICES)
COUNTY OF SAN BERNARDINO
STATE OF CALIFORNIA**



TRACT MAPS WITHIN THE BOUNDARIES OF
CITY OF ONTARIO
COMMUNITY FACILITIES DISTRICT NO. 19
(COUNTRYSIDE PHASE 1 - SERVICES)

LEGAL DESCRIPTION FOR TRACT MAP NO. 16045
 BEING A SUBDIVISION OF A PORTION OF LOTS 1, 4 & 5, BLOCK 1 AND A PORTION OF BLOCK 5 OF THE MOIST BELT TRACT, AS PER MAP RECORDED IN BOOK 12, PAGE 45 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY AND A PORTION OF THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 AND A PORTION OF THE NORTH 1/2 OF THE SOUTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 10, TOWNSHIP 2 SOUTH, RANGE 7 WEST, SAN BERNARDINO MERIDIAN, COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA.

LEGAL DESCRIPTION FOR TRACT MAP NO. 18855
 BEING A SUBDIVISION OF A PORTION OF LOT 8 AND A PORTION OF BLOCK 5 OF THE MOIST BELT TRACT, AS PER MAP RECORDED IN BOOK 12, PAGE 45 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAN BERNARDINO, STATE OF CALIFORNIA.

LEGAL DESCRIPTION FOR TRACT MAP NO. 17449
 BEING A PORTION OF THE WEST ONE-HALF OF THE NORTHEAST ONE-QUARTER OF THE SOUTHEAST ONE-QUARTER OF SECTION 10, TOWNSHIP 2 SOUTH, RANGE WEST, SAN BERNARDINO COUNTY BASE AND MERIDIAN, IN THE CITY OF ONTARIO, COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, ACCORDING TO THE OFFICIAL PLAT OF SAID LAND IN THE OFFICE OF THE BUREAU OF LAND MANAGEMENT, FILED SEPTEMBER 16, 1873, ALONG WITH A PORTION OF BLOCK 5 OF THE MOIST BELT TRACT, IN THE CITY OF ONTARIO, OF SAID COUNTY, OF SAID STATE, AS PER PLAT RECORDED IN BOOK 12 OF MAPS, PAGE 45, RECORDS OF SAID COUNTY.

LEGAL DESCRIPTION FOR TRACT MAP NO. 17450
 BEING A PORTION OF THE EAST ONE-HALF OF THE SOUTHEAST ONE-QUARTER OF SECTION 10, TOWNSHIP 2 SOUTH, RANGE 7 WEST, SAN BERNARDINO COUNTY BASE AND MERIDIAN, IN THE CITY OF ONTARIO, COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, ACCORDING TO THE OFFICIAL PLAT OF SAID LAND IN THE OFFICE OF THE BUREAU OF LAND MANAGEMENT, FILED SEPTEMBER 16, 1873, ALONG WITH A PORTION OF BLOCK 5 OF THE MOIST BELT TRACT, IN THE CITY OF ONTARIO, OF SAID COUNTY, OF SAID STATE, AS PER PLAT RECORDED IN BOOK 12 OF MAPS, PAGE 45, RECORDS OF SAID COUNTY.

FILED IN THE OFFICE OF THE CLERK OF THE CITY OF ONTARIO
THIS 29th DAY OF October, 2014

Vicki Kason
CLERK OF THE CITY OF ONTARIO



I HEREBY CERTIFY THAT THE WITHIN MAP SHOWING THE PROPOSED BOUNDARIES OF CITY OF ONTARIO COMMUNITY FACILITIES DISTRICT NO. 19 (COUNTRYSIDE PHASE 1 - SERVICES), COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, WAS APPROVED BY THE CITY COUNCIL OF THE CITY OF ONTARIO AT A REGULAR MEETING THEREOF, HELD ON THE 21st DAY OF October, 2014, BY ITS RESOLUTION NO. 2014-103.

Vicki Kason
CLERK OF THE CITY OF ONTARIO

SAN BERNARDINO COUNTY RECORDER'S CERTIFICATE
 FILED THIS 29th DAY OF October, 2014, AT THE HOUR OF 10:37 O'CLOCK P.M. IN BOOK 86 OF MAPS OF ASSESSMENT AND COMMUNITY FACILITIES DISTRICTS AT PAGE 39, AND UNDER DOCUMENT NUMBER 2014-0407649, IN THE OFFICE OF THE COUNTY RECORDER IN THE COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, AT THE REQUEST OF THE CITY OF ONTARIO, IN THE AMOUNT OF \$ 10.00.

DENNIS DRAEGER
ASSESSOR-RECORDER-COUNTY CLERK
COUNTY OF SAN BERNARDINO

By: *Smara Garcia*
DEPUTY RECORDER

CITY OF ONTARIO

Agenda Report
June 20, 2017

SECTION:
CONSENT CALENDAR

SUBJECT: A RESOLUTION ESTABLISHING THE ANNUAL SPECIAL TAX WITHIN COMMUNITY FACILITIES DISTRICT NO. 20 (WAL-MART) FOR FISCAL YEAR 2017-18

RECOMMENDATION: That the City Council adopt a resolution establishing the annual special tax within Community Facilities District No. 20 (Wal-Mart) for Fiscal Year 2017-18.

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

FISCAL IMPACT: Special tax revenue will be generated in the amount of \$26,394 to fund City services, administration and incidental expenses.

BACKGROUND: On June 4, 2013, the City Council, in accordance with the Mello-Roos Act, took the initial steps in the formation of Community Facilities District No. 20 ("District") with the adoption of Resolution No. 2013-035, declaring the City's intention to establish the District and to authorize the levy of special taxes. On July 16, 2013, the City Council adopted Resolution No. 2013-082 forming the District. Upon a successful property owner election, the City Council adopted Ordinance No. 2963 on August 20, 2013, authorizing the levy of special taxes for the District to finance City services related to the Community Facilities District.

The District, as shown on the boundary map, addresses the commercial development of approximately 16.28 acres located on the west side of Mountain Avenue, south of Sixth Street, and north of Fifth Street.

As adopted, the special tax for City services is to be levied each fiscal year, beginning in Fiscal Year 2014-15, to fund City services. The services authorized to be financed, in whole or in part, by Community Facilities District No. 20 of the City of Ontario are as follows: (1) the operation and maintenance of the public street lighting facilities and appurtenances that serve the property and whose

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. 06/20/2017

Approved: _____

Continued to: _____

Denied: _____

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installation was identified as part of the project and (2) the maintenance and servicing of the landscaping and appurtenant improvements of the raised, landscaped median constructed by the landowner on Mountain Avenue between Fifth Street and Sixth Street.

The adoption of a resolution by the City Council is required annually to establish the special tax rate to be levied. As noted, Fiscal Year 2014-2015 was the first year that the special tax was levied. Pursuant to the Rate and Method of Apportionment of Special Tax, as approved by the property owners, beginning on April 1, 2014, and annually thereafter, the maximum annual tax rates shall be increased by the greater of the Consumer Price Index for all urban consumers in the Los Angeles-Riverside-Orange County area or the Southern California Edison LS-2 rate. Special tax collections and expenses for the District were \$25,270, during Fiscal Year 2015-2016, which is the most recent fiscal year ended. The assessed tax rate for FY 2016-17 and the maximum and proposed annual tax rate for Fiscal Year 2017-18, are as follows:

ANNUAL TAX RATE				
CFD 20 - Walmart				
FY 2016-17 Annual Tax Rate	FY 2017-18 Maximum Tax Rate	FY 2017-18 Proposed Annual Rate	Acres	Total
\$ 1,578.63 /acre	\$ 1,621.25 /acre	\$ 1,621.25 /acre	16.28	\$ 26,393.95

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, ACTING IN ITS CAPACITY AS THE LEGISLATIVE BODY OF COMMUNITY FACILITIES DISTRICT NO. 20 (WAL-MART), ESTABLISHING THE ANNUAL SERVICES SPECIAL TAX FOR FISCAL YEAR 2017-18.

WHEREAS, the City Council of the City of Ontario, California, has initiated proceedings, held a public hearing, conducted an election and received a favorable vote from the qualified electors relating to the levy of a special tax in a community facilities district, all as authorized pursuant to the terms and provisions of the "Mello-Roos Community Facilities Act of 1982" (the "Act"), being Chapter 2.5, Part 1, Division 2, Title 5, of the Government Code of the State of California. This Community Facilities District is designated as "COMMUNITY FACILITIES DISTRICT NO. 20 OF THE CITY OF ONTARIO (WAL-MART)" (hereinafter referred to as "District" or "Community Facilities District No. 20"); and

WHEREAS, the City Council did, acting as the legislative body of the District, by the enactment of Ordinance No. 2963 (the "Special Tax Ordinance") as authorized by Section 53340 of the Government Code of the State of California, authorize the levy of a services special tax (the "Services Special Tax") and a facilities special tax (the "Facilities Special Tax") to pay for costs and expenses related to the District, and this legislative body is desirous to establish the specific rate of the Services Special Tax to be collected for the specified Fiscal Year.

NOW, THEREFORE, IT IS HEREBY RESOLVED AS FOLLOWS:

SECTION 1. The above recitals are all true and correct.

SECTION 2. That the specific rate and amount of the Services Special Tax to be collected to pay for the Costs and Expenses (as defined in Section 5 below) for the referenced Fiscal Year for the District is hereby determined and established as set forth in the attached referenced and incorporated Exhibit "A."

SECTION 3. That the rate as set forth above does not exceed the amount as previously authorized by Ordinance of this legislative body, and is not in excess of that as previously approved by the qualified electors of the District.

SECTION 4. The City Manager is authorized and directed to file a certified copy of this Resolution together with a list of all parcels subject to the Services Special Tax for the above specified Fiscal Year and the amount of the special tax to be levied against each such parcel, with the County Auditor/Tax Collector of the County of San Bernardino on or before August 10; provided, however, that such may be filed after August 10, but not later than August 21, if the City Manager obtains the prior written consent of such County Auditor/Tax Collector.

SECTION 5. That the proceeds of the special tax shall be used only to pay the following costs and expenses:

- (a) the lighting, operating, maintaining, improving and servicing of the public street lights and appurtenances benefiting the properties within the District, the maintaining improving and servicing of the landscaping and appurtenances of the raised, landscaped median to be constructed by the landowner on the west side of Mountain Avenue between 5th Street and 6th Street (the "Services"); and
- (b) all costs related to financing and administering the Services, the determination of the amount of special taxes to be levied and costs otherwise incurred in order to carry out the authorized purposes of the District and administering the District (the "Services Incidental Expenses").

SECTION 6. The Services 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 same procedure and sale in cases of any delinquency for ad valorem taxes, and the County Auditor/Tax Collector is hereby authorized to deduct reasonable administrative costs incurred in collecting any said Services Special Tax.

SECTION 7. The County Auditor/Tax Collector is hereby directed to enter in the next County assessment roll on which taxes will become due, opposite each lot or parcel of land affected in a space marked "Ontario C.F.D. No. 20 Special Tax," or by any other suitable designation, the installment of the Services Special Tax.

SECTION 8. The County Auditor/Tax Collector shall then, at the close of the tax collection period, promptly render to the District a detailed report showing the amount and/or amounts of such Services Special Tax installments, interests, penalties, and percentages so collected and from what property collected, and also provide a statement of any percentages retained for the expense of making any such collection.

SECTION 9. This legislative body hereby certifies that the levy of the Services Special Tax was authorized in accordance with the provisions of the Act, and complies with the requirements of Articles XIII A and XIII C of the Constitution of the State of California.

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

PASSED, APPROVED, AND ADOPTED this 20th day of June 2017.

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. 2017- was duly passed and adopted by the City Council of the City of Ontario at their regular meeting held June 20, 2017 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. 2017- duly passed and adopted by the Ontario City Council at their regular meeting held June 20, 2017.

SHEILA MAUTZ, CITY CLERK

(SEAL)

EXHIBIT "A"

**CITY OF ONTARIO
COMMUNITY FACILITIES DISTRICT NO. 20
(WAL-MART)**

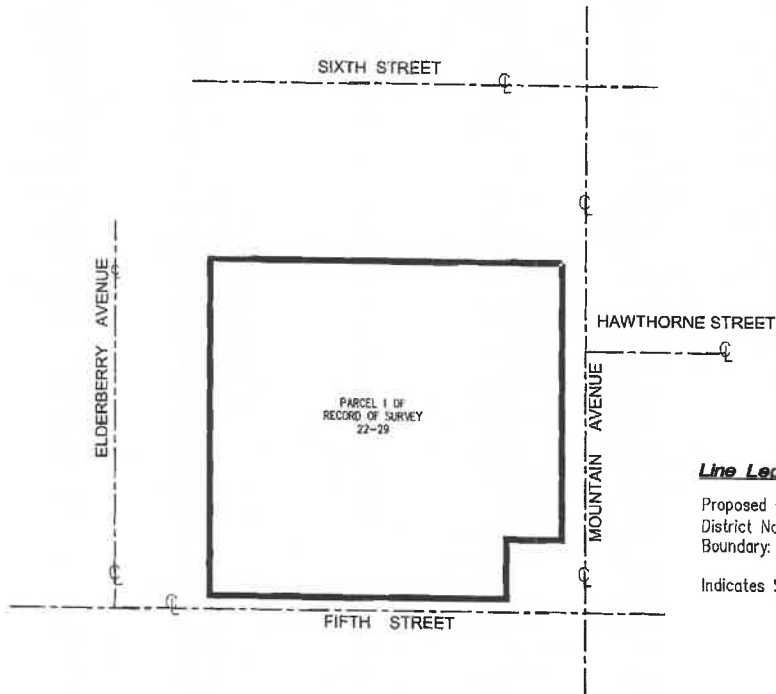
**SERVICES SPECIAL TAX RATE
FOR FISCAL YEAR 2017-18**

All Assessor's Parcels of Taxable Property within Community Facilities District No. 20 shall be taxed at the following special tax rate pursuant to the Rate and Method of Apportionment of Special tax, as amended:

FY 2017-18 Special Tax Rate: \$1,621.25 per Acre

Assessor's Parcel, Acre and Taxable Property shall all have the meanings as defined in the Rate and Method of Apportionment of Special tax, as amended.

**Proposed Boundaries of
Community Facilities District No. 20
of the City of Ontario (Wal-Mart)
County of San Bernardino
State of California**



Line Legend

- Proposed Community Facilities District No. 20 (Wal-Mart) Boundary:
- Indicates Street Centerline:

Parcel Numbers
within the Boundaries of the City
of Ontario Community
Facilities District No. 20 (Wal-Mart):

PARCEL 1 OF RECORD OF SURVEY 22-29, BEING A SURVEY OF
PORTIONS OF LOTS 741, 742, 747 AND 748, MAP OF ONTARIO,
AS RECORDED IN BOOK 11 OF MAPS, PAGE 6, RECORDS OF
THE COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA

Filed in the office of the Clerk of the City of Ontario
this 4th day of June, ~~2012~~ 2013.

Dick Kead Assistant City
Clerk of the City of Ontario

I hereby certify that the within map showing the proposed boundaries of Community Facilities District No. 20 of the City of Ontario (Wal-Mart), County of San Bernardino, State of California, was approved by the City Council of the City of Ontario at a regular meeting thereof, held on the 4th day of June, ~~2012~~ 2013, by its Resolution No. 2013-035.

Dick Kead Assistant City
Clerk of the City of Ontario



San Bernardino County Recorder's Certificate

This map has been filed under Document Number 2013 0265512 this 13th day of June, 2013 at 2:13 p.m. in Book 85 of Maps of Assessment and Community Facilities Districts at Page 65, at the Request of the City of Ontario in the amount of \$ 10.00.

Recorded to Official Records
County of San Bernardino
Doc#: 2013-0265512
6/13/2013 2:48 PM

Dennis Draeger
Assessor-Recorder-Clerk
County of San Bernardino

By: Dennis Draeger
Deputy Recorder

CITY OF ONTARIO

Agenda Report
June 20, 2017

SECTION:
CONSENT CALENDAR

SUBJECT: A RESOLUTION ESTABLISHING THE ANNUAL SPECIAL TAX WITHIN COMMUNITY FACILITIES DISTRICT NO. 21 OF THE CITY OF ONTARIO (PARKSIDE) FOR FISCAL YEAR 2017-18

RECOMMENDATION: That the City Council adopt a resolution establishing the annual special tax within Community Facilities District No. 21 of the City of Ontario (Parkside) for Fiscal Year 2017-18.

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

FISCAL IMPACT: Special tax revenue will be generated in the amount of \$61,503 to fund City services, administration and incidental expenses.

BACKGROUND: On July 2, 2013, the City Council, in accordance with the Mello-Roos Act, took the initial steps in the formation of Community Facilities District No. 21 ("District") with the adoption of Resolution No. 2013-071, declaring the City's intention to establish the District and to authorize the levy of a special tax. On August 20, 2013, the City Council adopted Resolution No. 2013-088 forming the District. Upon a successful property owner election, the City Council adopted Ordinance No. 2966 on September 3, 2013, authorizing the levy of a special tax for the District to finance City services, related to the Parkside residential project.

The District, as shown on the boundary map, addresses the residential development of approximately 19.6 acres located north of Inland Empire Boulevard, south of Fourth Street, east of Archibald Avenue and west of Turner Avenue. The development includes 150 detached units and 152 attached units.

As adopted, the special tax for City services is to be levied each fiscal year, beginning in Fiscal Year 2014-15. The services authorized to be financed, in whole or in part, by Community Facilities District No. 21 of the City of Ontario (Parkside) are as follows: (1) the operation and maintenance of the public street lighting facilities and appurtenances that serve the property and whose

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. 06/20/2017

Approved: _____

Continued to: _____

Denied: _____

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installation is identified in the Parkside Development’s Conditions of Approval; (2) the maintenance and servicing of the landscaping and appurtenant improvements of the raised, landscaped median constructed by the landowners on Inland Empire Boulevard pursuant to the Parkside Development’s Conditions of Approval; and (3) the maintenance and servicing of the landscaping and appurtenant improvements for the City right-of-way parkways bordering the project on the north side of Inland Empire Boulevard and the west side of Tuner Avenue.

The adoption of a resolution by the City Council is required annually to establish the special tax rates to be levied. As noted, Fiscal Year 2014-15 was the first year that the special tax was levied. Pursuant to the Rate and Method of Apportionment of Special Tax that was approved by the property owners, beginning on July 1, 2014, and annually thereafter, the maximum annual services special tax rate shall be increased by an amount equal to the greater of (i) the increase, if any, in the Consumer Price Index for the Los Angeles-Riverside-Orange County Area for all urban consumers, or (ii) 2% of the amount in effect the previous Fiscal Year. As proposed, the rates for FY 2017-18 reflect a 2.7% increase from the rates adopted for FY 2016-17. The assessed rates for FY 2016-17 and the maximum and proposed annual tax rates for Fiscal Year 2017-18 are as follows:

Annual Tax Rates

Land Use	FY 2016-17 Assessed Tax Levy	FY 2017-18 Maximum Tax Rates	FY 2017-18 Proposed Annual Tax Rates	No. of Units	Totals
Detached Property	\$222.63 per Unit	\$228.61 per Unit	\$228.61 per Unit	150	\$34,291.50
Attached Property	\$174.35 per Unit	\$179.02 per Unit	\$179.02 per Unit	152	\$27,211.04
Total Annual Tax					\$61,502.54

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, ACTING IN ITS CAPACITY AS THE LEGISLATIVE BODY OF COMMUNITY FACILITIES DISTRICT NO. 21 OF THE CITY OF ONTARIO (PARKSIDE), ESTABLISHING THE ANNUAL SPECIAL TAX FOR FISCAL YEAR 2017-18.

WHEREAS, the City Council of the City of Ontario, California, has initiated proceedings, held a public hearing, conducted an election and received a favorable vote from the qualified electors relating to the levy of a special tax in a community facilities district, all as authorized pursuant to the terms and provisions of the "Mello-Roos Community Facilities Act of 1982" (the "Act"), being Chapter 2.5, Part 1, Division 2, Title 5, of the Government Code of the State of California. This Community Facilities District is designated as City of Ontario Community Facilities District No. 21 (Parkside) (hereinafter referred to as "District"); and

WHEREAS, the City Council did, acting as the legislative body of the District, by the enactment of Ordinance No. 2966 (the "Special Tax Ordinance") as authorized by Section 53340 of the Government Code of the State of California, authorize the levy of a special tax to pay for costs and expenses related to the District, and this legislative body is desirous to establish the specific rates of the special tax to be collected for the specified Fiscal Year.

NOW, THEREFORE, IT IS HEREBY RESOLVED AS FOLLOWS:

SECTION 1. The above recitals are all true and correct.

SECTION 2. That the specific rates of the special tax to be collected to pay for the costs and expenses (as defined in Section 5 below) for the referenced Fiscal Year for the District is hereby determined and established as set forth in the attached referenced and incorporated Exhibit "A."

SECTION 3. That the rates as set forth above does not exceed the amount as previously authorized by the Special Tax Ordinance of this legislative body, and is not in excess of that as previously approved by the qualified electors of the District.

SECTION 4. The City Manager is authorized and directed to file a certified copy of this Resolution, together with a list of all parcels subject to the special tax for the above specified Fiscal Year and the amount of the special tax to be levied against each such parcel, with the County Auditor/Tax Collector of the County of San Bernardino on or before August 10; provided, however, that such may be filed after August 10, but not later than August 21, if the City Manager obtains the prior written consent of such County Auditor/Tax Collector.

SECTION 5. That the proceeds of the special tax shall be used only to pay the following costs and expenses:

- (a) Costs of those services authorized to be financed by the District;
- (b) Costs incurred by the District and the City in the annual levy and collection of the special taxes;
- (c) Administrative costs of the District; and
- (d) Any incidental expenses authorized to be financed by the District.

SECTION 6. 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 same procedure and sale in cases of any delinquency for ad valorem taxes, and the County Auditor/Tax Collector is hereby authorized to deduct reasonable administrative costs incurred in collecting any said special tax.

SECTION 7. All monies above collected shall be paid into the Community Facilities District No. 21 Fund.

SECTION 8. The County Auditor/Tax Collector is hereby directed to enter in the next County assessment roll on which taxes will become due, opposite each lot or parcel of land affected in a space marked "Ontario C.F.D. No. 21 Special Tax," or by any other suitable designation, the installment of the special tax.

SECTION 9. The County Auditor/Tax Collector shall then, at the close of the tax collection period, promptly render to the District a detailed report showing the amount and/or amounts of such special tax installments, interests, penalties, and percentages so collected and from what property collected, and also provide a statement of any percentages retained for the expense of making any such collection.

SECTION 10. This legislative body hereby certifies that the levy of the special tax was authorized in accordance with the provisions of the Act, and complies with the requirements of Articles XIII A and XIII C of the Constitution of the State of California.

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

PASSED, APPROVED, AND ADOPTED this 20th day of June 2017.

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. 2017- was duly passed and adopted by the City Council of the City of Ontario at their regular meeting held June 20, 2017 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. 2017- duly passed and adopted by the Ontario City Council at their regular meeting held June 20, 2017.

SHEILA MAUTZ, CITY CLERK

(SEAL)

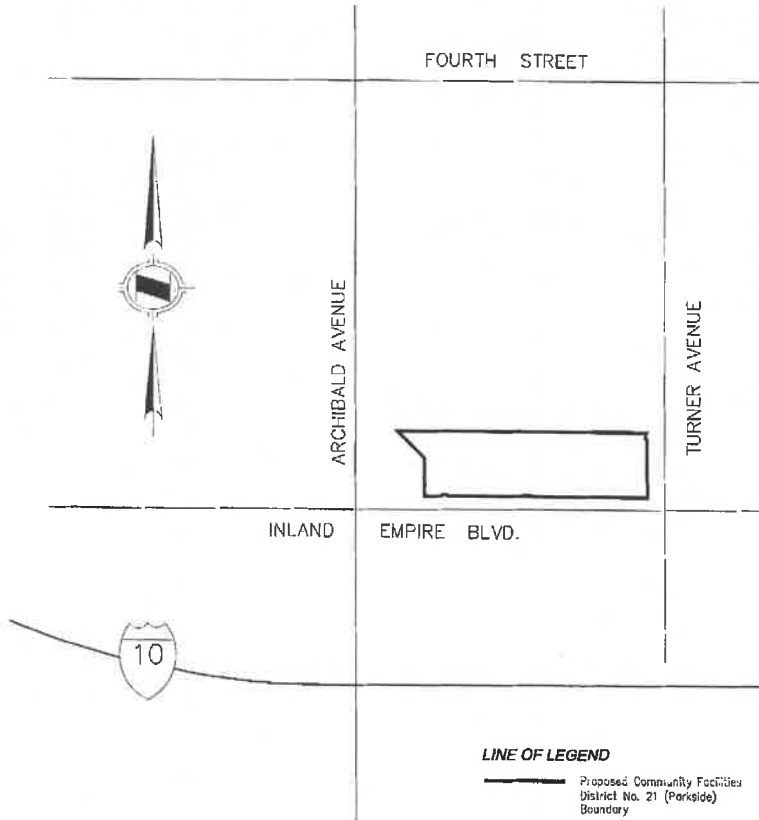
EXHIBIT "A"

**CITY OF ONTARIO
COMMUNITY FACILITIES DISTRICT NO. 21 (PARKSIDE)**

**SPECIAL TAX RATES
FOR FISCAL YEAR 2017-18**

Land Use Class	Land Use	Annual Tax Rates
Detached Property	Residential	\$228.61 per Unit
Attached Property	Residential	\$179.02 per Unit

Proposed Boundaries of
Community Facilities District No. 21
of The City Of Ontario (Parkside)
County Of San Bernardino
State Of California



Parcel Numbers
within the Boundaries of the City
of Ontario Community
Facilities District No. 21 (Parkside):

IN THE CITY OF ONTARIO, COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA,
BEING LOTS 1 THROUGH 11, INCLUSIVE, AND LETTERED LOTS A THROUGH G,
INCLUSIVE OF TRACT NO. 18850, AS SHOWN ON A MAP FILED IN BOOK 337,
PAGE 16 THROUGH 20, INCLUSIVE, OF MAPS, PARCELS 1 AND 2 OF PARCEL
MAP NO. 16979, AS SHOWN ON A MAP FILED IN BOOK 234, PAGES 51
THROUGH 54, INCLUSIVE, OF PARCEL MAPS AND A PORTION OF LOT 14 OF
THE MAP OF CUCAMONGA LANDS RECORDED IN BOOK 4 PAGE 9 OF MAPS, ALL
IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

Filed in the office of the Clerk of the City of Ontario
this 2nd day of July, 2013.

Dindi Kased
Clerk of the City of Ontario

I hereby certify that the within map showing the proposed
boundaries of Community Facilities District No. 21 of the
City of Ontario (Parkside), County of San Bernardino,
State of California, was approved by the City Council of the
City of Ontario at a regular meeting thereof, held on
the 2nd day of July, 2013,
by its Resolution No. 2013-071.

Dindi Kased
Clerk of the City of Ontario



San Bernardino County Recorder's Certificate

This map has been filed under Document
Number 2013-030097, this 9th day of
July, 2013, at 2:26 p.m. in Book 85
of Maps of Assessment and Community Facilities Districts
at Page 80-89, at the Request of the City of Ontario
in the amount of \$12.00.

Dennis Draeger
Assessor-Recorder-Clerk
County of San Bernardino

By: *Michelle Marie Cost*
Deputy Recorder

Recorded in Official Records
County of San Bernardino
Book 2013-080007
2000018 2:26 PM

CITY OF ONTARIO

Agenda Report
June 20, 2017

SECTION:
CONSENT CALENDAR

SUBJECT: A RESOLUTION ESTABLISHING THE ANNUAL SPECIAL TAX WITHIN COMMUNITY FACILITIES DISTRICT NO. 23 (PARK PLACE SERVICES) FOR FISCAL YEAR 2017-18

RECOMMENDATION: That the City Council adopt a resolution establishing the annual special tax within City of Ontario Community Facilities District No. 23 (Park Place Services) for Fiscal Year 2017-18.

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

FISCAL IMPACT: Special tax revenue will be generated in the amount of \$711,447 to fund City services, administration and incidental expenses.

BACKGROUND: On February 4, 2014, the City Council, in accordance with the Mello-Roos Act, took the initial steps in the formation of Community Facilities District No. 23 ("District") with the adoption of Resolution No. 2014-003, declaring the City's intention to establish the District and to authorize the levy of special taxes. On March 18, 2014, the City Council adopted Resolution No. 2014-019 establishing the formation of the District. Upon a successful property owner election, the City Council adopted Ordinance No. 2988 on April 1, 2014, authorizing the levy of special taxes for the District to finance City services expenses related to the Park Place project.

The District, as shown on the boundary map, addresses the residential development of approximately 340 acres located north of Bellegrave Avenue, south of Eucalyptus Avenue, east of Archibald Avenue, and west of Haven Avenue. At build-out, the development will include 1,429 detached residential units.

As adopted, the special tax for City services is to be levied each fiscal year, beginning in Fiscal Year 2015-16, to fund City services. The services authorized to be financed, in whole or in part,

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. 06/20/2017

Approved: _____

Continued to: _____

Denied: _____

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by City of Ontario Community Facilities District No. 23 (Park Place Services) are as follows: police protection services, fire protection and suppression services, ambulance and paramedic services, maintenance and lighting of parks, parkways, streets, roads, open space and flood and storm drain protection services, and maintenance and operation of any real property or tangible property with an estimated useful life of five or more years that is owned by the City.

The adoption of a resolution by the City Council is required annually to establish the special tax rates to be levied. As noted, Fiscal Year 2015-16 was the first year that the special tax was levied. Pursuant to the Rate and Method of Apportionment of Special Tax that was approved by the property owners, "...beginning on January 1, 2015, and annually thereafter, the maximum annual services special tax rate shall be increased at a rate equal to 4.0% of the amount in effect for the prior Fiscal Year." The assessed rates for FY 2016-17 and the maximum and proposed annual tax rates for Fiscal Year 2017-18 are as follows:

Annual Tax Rates

	FY 2016-17 Annual Tax Rates	FY 2017-18 Maximum Tax Rates	FY 2017-18 Proposed Annual Tax Rates	No. of Units	Total
Single-Family Detached Unit	\$1,500.18	\$1,560.19	\$1,560.19	456	\$711,446.64
Multiple Family Unit	\$1,300.08	\$1,352.09	\$1,352.09	-	\$ -
Gated Apartment Community Unit	\$1,090.25	\$1,133.86	\$1,133.86	-	\$ -
Non-Residential Property	\$ 0.28	\$ 0.29	\$ 0.29	-	\$ -
Annual Tax Amount					\$711,446.64

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, ACTING IN ITS CAPACITY AS THE LEGISLATIVE BODY OF CITY OF ONTARIO COMMUNITY FACILITIES DISTRICT NO. 23 (PARK PLACE SERVICES), ESTABLISHING THE ANNUAL SPECIAL TAX FOR FISCAL YEAR 2017-18.

WHEREAS, the City Council of the City of Ontario, California, has initiated proceedings, held a public hearing, conducted an election and received a favorable vote from the qualified electors relating to the levy of a special tax in a community facilities district, all as authorized pursuant to the terms and provisions of the "Mello-Roos Community Facilities Act of 1982" (the "Act"), being Chapter 2.5, Part 1, Division 2, Title 5, of the Government Code of the State of California. This Community Facilities District is designated as City of Ontario Community Facilities District No. 23 (Park Place Services) (hereinafter referred to as "District"); and

WHEREAS, the City Council did, acting as the legislative body of the District, by the enactment of Ordinance No. 2988 (the "Special Tax Ordinance") as authorized by Section 53340 of the Government Code of the State of California, authorize the levy of a special tax to pay for costs and expenses related to the District, and this legislative body is desirous to establish the specific rates of the special tax to be collected for the specified Fiscal Year.

NOW, THEREFORE, IT IS HEREBY RESOLVED AS FOLLOWS:

SECTION 1. The above recitals are all true and correct.

SECTION 2. That the specific rates and amount of the special tax to be collected to pay for the costs and expenses (as defined in Section 5 below) for the referenced Fiscal Year for the District is hereby determined and established as set forth in the attached referenced and incorporated Exhibit "A."

SECTION 3. That the rates as set forth above does not exceed the amount as previously authorized by the Special Tax Ordinance of this legislative body, and is not in excess of that as previously approved by the qualified electors of the District.

SECTION 4. The City Manager is authorized and directed to file a certified copy of this Resolution, together with a list of all parcels subject to the special tax for the above specified Fiscal Year and the amount of the special tax to be levied against each such parcel, with the County Auditor/Tax Collector of the County of San Bernardino on or before August 10; provided, however, that such may be filed after August 10, but not later than August 21, if the City Manager obtains the prior written consent of such County Auditor/Tax Collector.

SECTION 5. That the proceeds of the special tax shall be used only to pay the following costs and expenses:

- (a) Costs of those services authorized to be financed by the District;
- (b) Costs incurred by the District and the City in the annual levy and collection of the special taxes;
- (c) Administrative costs of the District; and
- (d) Any incidental expenses authorized to be financed by the District.

SECTION 6. 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 same procedure and sale in cases of any delinquency for ad valorem taxes, and the County Auditor/Tax Collector is hereby authorized to deduct reasonable administrative costs incurred in collecting any said special tax.

SECTION 7. All monies above collected shall be paid into the Community Facilities District No. 23 Fund.

SECTION 8. The County Auditor/Tax Collector is hereby directed to enter in the next County assessment roll on which taxes will become due, opposite each lot or parcel of land affected in a space marked "Ontario C.F.D. No. 23 Special Tax," or by any other suitable designation, the installment of the special tax.

SECTION 9. The County Auditor/Tax Collector shall then, at the close of the tax collection period, promptly render to the District a detailed report showing the amount and/or amounts of such special tax installments, interests, penalties, and percentages so collected and from what property collected, and also provide a statement of any percentages retained for the expense of making any such collection.

SECTION 10. This legislative body hereby certifies that the levy of the special tax was authorized in accordance with the provisions of the Act, and complies with the requirements of Articles XIII A and XIII C of the Constitution of the State of California.

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

PASSED, APPROVED, AND ADOPTED this 20th day of June 2017.

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. 2017- was duly passed and adopted by the City Council of the City of Ontario at their regular meeting held June 20, 2017 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. 2017- duly passed and adopted by the Ontario City Council at their regular meeting held June 20, 2017.

SHEILA MAUTZ, CITY CLERK

(SEAL)

EXHIBIT "A"

**CITY OF ONTARIO
COMMUNITY FACILITIES DISTRICT NO. 23 (PARK PLACE SERVICES)**

**SPECIAL TAX RATES
FOR FISCAL YEAR 2017-18**

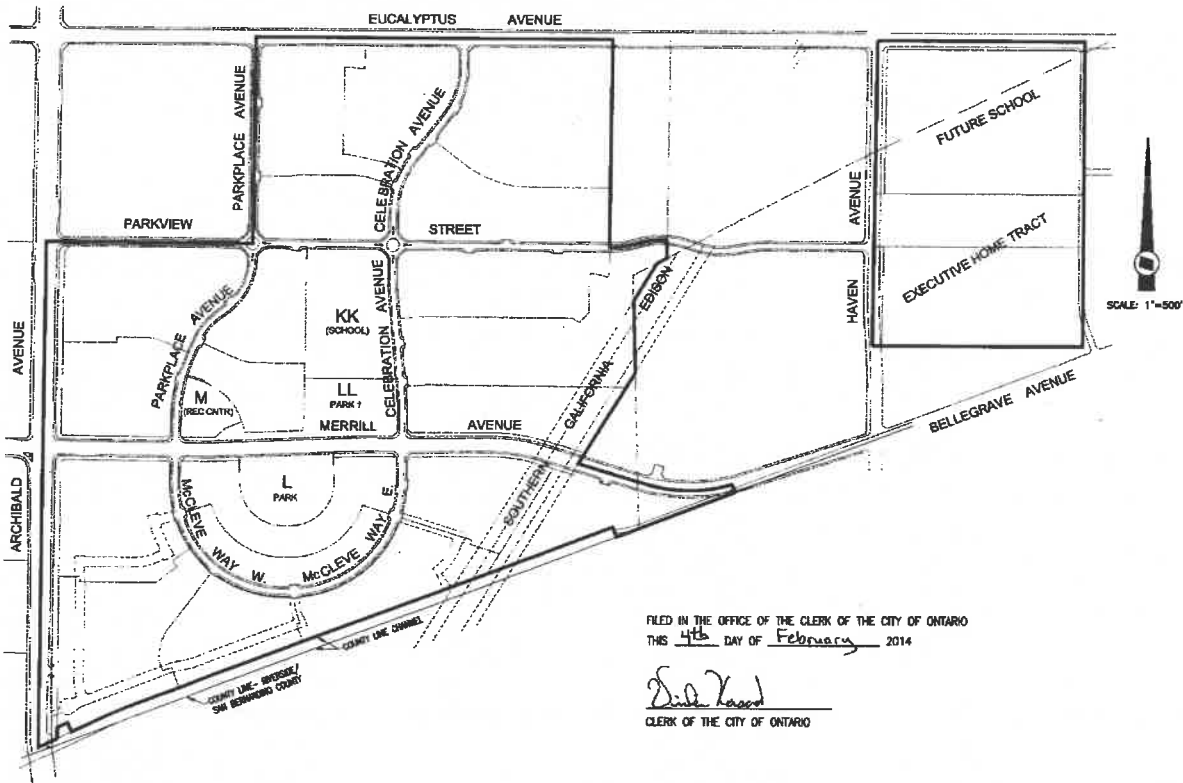
Land Use	Annual Tax Rates
Single Family Detached Unit	\$1,560.19
Multiple Family Unit	\$1,352.09
Gated Apartment Community Unit	\$1,133.86
Non-Residential Property	\$ 0.29

PROPOSED BOUNDARIES OF CITY OF ONTARIO COMMUNITY FACILITIES DISTRICT NO. 23 (PARK PLACE SERVICES) COUNTY OF SAN BERNARDINO STATE OF CALIFORNIA

CONTAINS ALL OF TRACTS 18913-1 AND 17821 AS SHOWN ON MAPS FILED IN BOOK 338 OF TRACT MAPS, AT PAGES 1 THROUGH 7 AND BOOK 333 OF TRACT MAPS, PAGES 64 THROUGH 77, RESPECTIVELY, IN THE OFFICE OF THE COUNTY RECORDER OF THE COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA.

AREA FOR FUTURE SCHOOL AND EXECUTIVE HOME TRACT:

BEING A PORTION OF GOVERNMENT LOTS 1, 2, 5, 6, AND 7, SECTION 24, TOWNSHIP 2 SOUTH, RANGE 7 WEST, SAN BERNARDINO BASE AND MERIDIAN, IN THE COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, AND THE FRACTIONAL NORTHWEST 1/4 OF SECTION 24, TOWNSHIP 2 SOUTH, RANGE 7 WEST, SAN BERNARDINO MERIDIAN, AS SHOWN BY SECTIONIZED SURVEY OF THE JURUPA RANCHO, RECORDED IN BOOK 9, PAGE 33 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, SAID FRACTIONAL NORTHWEST 1/4 BEING ALL THAT PORTION OF THE NORTHWEST 1/4 OF SAID SECTION 24, LYING IN THE JURUPA RANCHO, AND IN RIVERSIDE COUNTY, ACCORDING TO THE OFFICIAL PLAT THEREOF.



FILED IN THE OFFICE OF THE CLERK OF THE CITY OF ONTARIO
THIS 4th DAY OF February, 2014

Dick Kead
CLERK OF THE CITY OF ONTARIO

I HEREBY CERTIFY THAT THE WITHIN MAP SHOWING THE PROPOSED BOUNDARIES OF CITY OF ONTARIO COMMUNITY FACILITIES DISTRICT NO. 23 (PARK PLACE SERVICES), COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, WAS APPROVED BY THE CITY COUNCIL OF THE CITY OF ONTARIO AT A REGULAR MEETING THEREOF, HELD ON THE 4th DAY OF February, 2014, BY ITS RESOLUTION NO. 2014-003

Dick Kead
CLERK OF THE CITY OF ONTARIO



SAN BERNARDINO COUNTY RECORDER'S CERTIFICATE

FILED THIS 11th DAY OF Feb, 2014, AT THE HOUR OF 2:30 O'CLOCK P.M., IN BOOK 36 OF MAPS OF ASSESSMENT AND COMMUNITY FACILITIES DISTRICTS AT PAGE 10, AND AS INSTRUMENT NO. 2014-0058330 IN THE OFFICE OF THE COUNTY RECORDER OF THE COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA. EXEMPT RECORDING REQUESTED PER CALIFORNIA CODE 6103

DENNIS DRAEGER
ASSESSOR-RECORDER-COUNTY CLERK
COUNTY OF SAN BERNARDINO

Recorded in Official Records,
County of San Bernardino
Deed: 2014-0058330
2/11/2014 2:30 PM

BY *[Signature]*
DEPUTY RECORDER

APNs
0218-052-02 & 03
0218-052-04 & 05
0218-042-01
0218-042-02
0218-042-03
0218-042-04
0218-042-05
0218-022-01
0218-022-02
0218-022-03
0218-022-04
0218-033-01 & 02
0218-033-03 & 04
0218-033-05 & 06
0218-052-01
0218-014-01
0218-014-02
0218-014-04
0218-014-05
0218-014-07
0218-331-12
0218-331-18
0218-331-30

LEGEND
 PROPOSED BOUNDARIES OF THE CITY OF ONTARIO COMMUNITY FACILITIES DISTRICT NO. 23 (PARK PLACE SERVICES)

CITY OF ONTARIO

Agenda Report
June 20, 2017

SECTION:
CONSENT CALENDAR

SUBJECT: A RESOLUTION ESTABLISHING THE ANNUAL SPECIAL TAX WITHIN COMMUNITY FACILITIES DISTRICT NO. 24 (PARK PLACE FACILITIES - PHASE I) FOR FISCAL YEAR 2017-18

RECOMMENDATION: That the City Council adopt a resolution establishing the annual special tax within City of Ontario Community Facilities District No. 24 (Park Place Facilities - Phase I) for Fiscal Year 2017-18.

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

FISCAL IMPACT: Special tax revenue, required to pay debt service on the District's outstanding bonds, administration and incidental expenses, will be generated in the amount of \$1,074,411.

BACKGROUND: On September 2, 2014, the City Council, in accordance with the Mello-Roos Act, took the initial steps in the formation of Community Facilities District No. 24 ("District") with the adoption of Resolution No. 2014-090, declaring the City's intention to establish the District and to authorize the levy of special taxes. On November 18, 2014, the City Council adopted Resolution No. 2014-107 establishing the formation of the District. Upon a successful property owner election, the City Council adopted Ordinance No. 3002 on December 2, 2014, authorizing the levy of special taxes for the District to finance public improvements related to the Park Place Facilities - Phase I project. As adopted, the special tax for public improvements is to be levied each fiscal year, beginning in Fiscal Year 2015-16.

The District, as shown on the boundary map, addresses the residential development of approximately 72 acres located north of Bellegrave Avenue, south of Eucalyptus Avenue, east of Archibald Avenue, and west of Haven Avenue. At build-out, the development will include 432 detached residential units.

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. 06/20/2017

Approved: _____

Continued to: _____

Denied: _____

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The adoption of a resolution by the City Council is required annually to establish the special tax rates to be levied. As noted, Fiscal Year 2015-16 was the first year that the special tax was levied. The assessed tax rates for Fiscal Year 2016-17 and the assigned/maximum and proposed annual tax rates for Fiscal Year 2017-18, which are being assessed on all developed property, are as follows:

Annual Facilities Tax Rates

Land Use	Residential Floor Area (Sq. Ft.)	No. of Units/ Acres	FY 2016-17 Annual Tax Rates	FY 2017-18 Assigned/Maximum Tax Rates	FY 2017-18 Proposed Annual Tax Rates	Total
Developed Property:						
Residential Property	<1,601	-	\$1,713.00 per Unit	\$1,713.00 per Unit	\$1,637.81 per Unit	-
Residential Property	1,601-1,700	17	\$1,817.00 per Unit	\$1,817.00 per Unit	\$1,737.25 per Unit	\$29,533.25
Residential Property	1,701-1,800	14	\$1,904.00 per Unit	\$1,904.00 per Unit	\$1,820.43 per Unit	\$25,486.02
Residential Property	1,801-1,900	14	\$1,986.00 per Unit	\$1,986.00 per Unit	\$1,898.83 per Unit	\$26,583.62
Residential Property	1,901-2,000	15	\$2,099.00 per Unit	\$2,099.00 per Unit	\$2,006.87 per Unit	\$30,103.05
Residential Property	2,001-2,100	-	\$2,107.00 per Unit	\$2,107.00 per Unit	\$2,014.52 per Unit	-
Residential Property	2,101-2,200	38	\$2,209.00 per Unit	\$2,209.00 per Unit	\$2,112.04 per Unit	\$80,257.52
Residential Property	2,201-2,300	-	\$2,277.00 per Unit	\$2,277.00 per Unit	\$2,177.06 per Unit	-
Residential Property	2,301-2,400	23	\$2,386.00 per Unit	\$2,386.00 per Unit	\$2,281.27 per Unit	\$52,469.21
Residential Property	2,401-2,500	55	\$2,460.00 per Unit	\$2,460.00 per Unit	\$2,352.03 per Unit	\$129,361.65
Residential Property	2,501-2,600	1	\$2,571.00 per Unit	\$2,571.00 per Unit	\$2,458.15 per Unit	\$2,458.15
Residential Property	2,601-2,700	21	\$2,681.00 per Unit	\$2,681.00 per Unit	\$2,563.32 per Unit	\$53,829.72
Residential Property	2,701-2,800	8	\$2,729.00 per Unit	\$2,729.00 per Unit	\$2,609.22 per Unit	\$20,873.76
Residential Property	2,801-2,900	27	\$2,783.00 per Unit	\$2,783.00 per Unit	\$2,660.85 per Unit	\$71,842.95
Residential Property	2,901-3,000	27	\$2,875.00 per Unit	\$2,875.00 per Unit	\$2,748.81 per Unit	\$74,217.87
Residential Property	3,001-3,100	38	\$3,003.00 per Unit	\$3,003.00 per Unit	\$2,871.19 per Unit	\$109,105.22
Residential Property	3,101-3,200	7	\$3,112.00 per Unit	\$3,112.00 per Unit	\$2,975.41 per Unit	\$20,827.87
Residential Property	3,201-3,300	40	\$3,124.00 per Unit	\$3,124.00 per Unit	\$2,986.88 per Unit	\$119,475.20
Residential Property	3,301-3,400	-	\$3,205.00 per Unit	\$3,205.00 per Unit	\$3,064.33 per Unit	-
Residential Property	3,401-3,500	27	\$3,301.00 per Unit	\$3,301.00 per Unit	\$3,156.11 per Unit	\$85,214.97
Residential Property	3,501-3,600	16	\$3,425.00 per Unit	\$3,425.00 per Unit	\$3,274.67 per Unit	\$52,394.72
Residential Property	3,601-3,700	-	\$3,458.00 per Unit	\$3,458.00 per Unit	\$3,306.22 per Unit	-
Residential Property	3,701-3,800	-	\$3,542.00 per Unit	\$3,542.00 per Unit	\$3,386.53 per Unit	-
Residential Property	3,801-3,900	-	\$3,627.00 per Unit	\$3,627.00 per Unit	\$3,467.80 per Unit	-
Residential Property	3,901-4,000	25	\$3,781.00 per Unit	\$3,781.00 per Unit	\$3,615.04 per Unit	\$90,376.00
Residential Property	>4,000	-	\$3,795.00 per Unit	\$3,795.00 per Unit	\$3,628.43 per Unit	-
					Annual Tax Total	\$1,074,410.75

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, ACTING IN ITS CAPACITY AS THE LEGISLATIVE BODY OF CITY OF ONTARIO COMMUNITY FACILITIES DISTRICT NO. 24 (PARK PLACE FACILITIES – PHASE I), ESTABLISHING THE ANNUAL SPECIAL TAX FOR FISCAL YEAR 2017-18.

WHEREAS, the City Council of the City of Ontario, California, has initiated proceedings, held a public hearing, conducted an election and received a favorable vote from the qualified electors relating to the levy of a special tax in a community facilities district, all as authorized pursuant to the terms and provisions of the "Mello-Roos Community Facilities Act of 1982" (the "Act"), being Chapter 2.5, Part 1, Division 2, Title 5, of the Government Code of the State of California. This Community Facilities District is designated as City of Ontario Community Facilities District No. 24 (Park Place Facilities – Phase I) (hereinafter referred to as "District"); and

WHEREAS, the City Council did, acting as the legislative body of the District, by the enactment of Ordinance No. 3002 (the "Special Tax Ordinance") as authorized by Section 53340 of the Government Code of the State of California, authorize the levy of a special tax to pay for costs and expenses related to the District, and this legislative body is desirous to establish the specific rates of the special tax to be collected for the specified Fiscal Year.

NOW, THEREFORE, IT IS HEREBY RESOLVED AS FOLLOWS:

SECTION 1. The above recitals are all true and correct.

SECTION 2. That the specific rates and amount of the special tax to be collected to pay for the costs and expenses (as defined in Section 5 below) for the referenced Fiscal Year for the District is hereby determined and established as set forth in the attached referenced and incorporated Exhibit "A."

SECTION 3. That the rates as set forth above does not exceed the amount as previously authorized by the Special Tax Ordinance of this legislative body, and is not in excess of that as previously approved by the qualified electors of the District.

SECTION 4. The City Manager is authorized and directed to file a certified copy of this Resolution, together with a list of all parcels subject to the special tax for the above specified Fiscal Year and the amount of the special tax to be levied against each such parcel, with the County Auditor/Tax Collector of the County of San Bernardino on or before August 10; provided, however, that such may be filed after August 10, but not later than August 21, if the City Manager obtains the prior written consent of such County Auditor/Tax Collector.

SECTION 5. That the proceeds of the special tax shall be used only to pay the following costs and expenses:

- (a) Costs of providing facilities and services authorized to be financed by the District;
- (b) Costs incurred by the District and the City in the annual levy and collection of the special taxes;
- (c) Administrative costs of the District; and
- (d) Any incidental expenses authorized to be financed by the District.

SECTION 6. 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 same procedure and sale in cases of any delinquency for ad valorem taxes, and the County Auditor/Tax Collector is hereby authorized to deduct reasonable administrative costs incurred in collecting any said special tax.

SECTION 7. All monies above collected shall be paid into the Community Facilities District No. 24 Fund.

SECTION 8. The County Auditor/Tax Collector is hereby directed to enter in the next County assessment roll on which taxes will become due, opposite each lot or parcel of land affected in a space marked "CFD No. 24 Special Tax," or by any other suitable designation, the installment of the special tax.

SECTION 9. The County Auditor/Tax Collector shall then, at the close of the tax collection period, promptly render to the District a detailed report showing the amount and/or amounts of such special tax installments, interests, penalties, and percentages so collected and from what property collected, and also provide a statement of any percentages retained for the expense of making any such collection.

SECTION 10. This legislative body hereby certifies that the levy of the special tax was authorized in accordance with the provisions of the Act, and complies with the requirements of Articles XIII A and XIII C of the Constitution of the State of California.

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

PASSED, APPROVED, AND ADOPTED this 20th day of June 2017.

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. 2017- was duly passed and adopted by the City Council of the City of Ontario at their regular meeting held June 20, 2017 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. 2017- duly passed and adopted by the Ontario City Council at their regular meeting held June 20, 2017.

SHEILA MAUTZ, CITY CLERK

(SEAL)

EXHIBIT "A"

**CITY OF ONTARIO
COMMUNITY FACILITIES DISTRICT NO. 24 (PARK PLACE FACILITIES – PHASE I)**

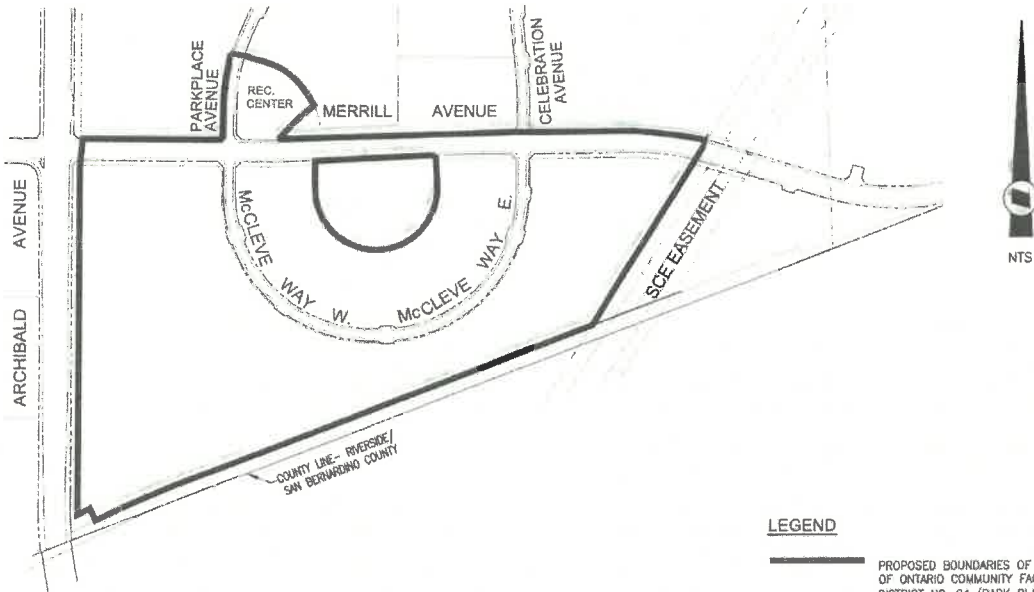
**SPECIAL TAX RATES
FOR FISCAL YEAR 2017-18**

ANNUAL FACILITIES TAX RATES

Land Use	Residential Floor Area (Sq. Ft.)	FY 2017-18 Assigned/Maximum Tax Rates		FY 2017-18 Proposed Annual Tax Rates	
Developed Property:					
Residential Property	<1,601	\$1,713.00	per Unit	\$1,637.81	per Unit
Residential Property	1,601-1,700	\$1,817.00	per Unit	\$1,737.25	per Unit
Residential Property	1,701-1,800	\$1,904.00	per Unit	\$1,820.43	per Unit
Residential Property	1,801-1,900	\$1,986.00	per Unit	\$1,898.83	per Unit
Residential Property	1,901-2,000	\$2,099.00	per Unit	\$2,006.87	per Unit
Residential Property	2,001-2,100	\$2,107.00	per Unit	\$2,014.52	per Unit
Residential Property	2,101-2,200	\$2,209.00	per Unit	\$2,112.04	per Unit
Residential Property	2,201-2,300	\$2,277.00	per Unit	\$2,177.06	per Unit
Residential Property	2,301-2,400	\$2,386.00	per Unit	\$2,281.27	per Unit
Residential Property	2,401-2,500	\$2,460.00	per Unit	\$2,352.03	per Unit
Residential Property	2,501-2,600	\$2,571.00	per Unit	\$2,458.15	per Unit
Residential Property	2,601-2,700	\$2,681.00	per Unit	\$2,563.32	per Unit
Residential Property	2,701-2,800	\$2,729.00	per Unit	\$2,609.22	per Unit
Residential Property	2,801-2,900	\$2,783.00	per Unit	\$2,660.85	per Unit
Residential Property	2,901-3,000	\$2,875.00	per Unit	\$2,748.81	per Unit
Residential Property	3,001-3,100	\$3,003.00	per Unit	\$2,871.19	per Unit
Residential Property	3,101-3,200	\$3,112.00	per Unit	\$2,975.41	per Unit
Residential Property	3,201-3,300	\$3,124.00	per Unit	\$2,986.88	per Unit
Residential Property	3,301-3,400	\$3,205.00	per Unit	\$3,064.33	per Unit
Residential Property	3,401-3,500	\$3,301.00	per Unit	\$3,156.11	per Unit
Residential Property	3,501-3,600	\$3,425.00	per Unit	\$3,274.67	per Unit
Residential Property	3,601-3,700	\$3,458.00	per Unit	\$3,306.22	per Unit
Residential Property	3,701-3,800	\$3,542.00	per Unit	\$3,386.53	per Unit
Residential Property	3,801-3,900	\$3,627.00	per Unit	\$3,467.80	per Unit
Residential Property	3,901-4,000	\$3,781.00	per Unit	\$3,615.04	per Unit
Residential Property	>4,000	\$3,795.00	per Unit	\$3,628.43	per Unit

**PROPOSED BOUNDARIES OF
CITY OF ONTARIO
COMMUNITY FACILITIES DISTRICT NO. 24
(PARK PLACE FACILITIES PHASE 1)
COUNTY OF SAN BERNARDINO
STATE OF CALIFORNIA**

CONTAINS ALL OF TRACT 18913-1 AND A PORTION OF TRACT 17821 AS SHOWN ON MAPS FILED IN BOOK 338 OF TRACT MAPS, AT PAGES 1 THROUGH 7 AND BOOK 333 OF TRACT MAPS, PAGES 64 THROUGH 77, RESPECTIVELY, IN THE OFFICE OF THE COUNTY RECORDER OF THE COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA.



LEGEND

— PROPOSED BOUNDARIES OF THE CITY OF ONTARIO COMMUNITY FACILITIES DISTRICT NO. 24 (PARK PLACE FACILITIES PHASE 1)

CFD NO. 24 APNs

- 0218-062-01 Thru 69
- 0218-072-01 Thru 38
- 0218-083-01 Thru 28
- 0218-092-01 Thru 47
- 0218-355-01 Thru 75
- 0218-342-01 Thru 57
- 0218-362-01 Thru 05
- 0218-022-13
- 0218-052-13, 16, 18 & 19

FILED IN THE OFFICE OF THE CLERK OF THE CITY OF ONTARIO
THIS 2nd DAY OF September, 2014

CLERK OF THE CITY OF ONTARIO

I HEREBY CERTIFY THAT THE WITHIN MAP SHOWING THE PROPOSED BOUNDARIES OF CITY OF ONTARIO COMMUNITY FACILITIES DISTRICT NO. 24 (PARK PLACE FACILITIES PHASE 1), COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, WAS APPROVED BY THE CITY COUNCIL OF THE CITY OF ONTARIO AT A REGULAR MEETING THEREOF, HELD ON THE 2nd DAY OF September, 2014, BY ITS RESOLUTION NO. 2014-090

W. D. Kaad
CLERK OF THE CITY OF ONTARIO



SAN BERNARDINO COUNTY RECORDER'S CERTIFICATE

FILED THIS 4th DAY OF September, 2014, AT THE HOUR OF 2:17 O'CLOCK P.M., IN BOOK 86 OF MAPS OF ASSESSMENT AND COMMUNITY FACILITIES DISTRICTS AT PAGE 28, AND AS INSTRUMENT NO. 2014-0327047, IN THE OFFICE OF THE COUNTY RECORDER OF THE COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA. EXEMPT RECORDING-REQUESTED PER CALIFORNIA CODE §4103--

DENNIS DRAEGER
ASSESSOR-RECORDER-COUNTY CLERK
COUNTY OF SAN BERNARDINO

By: Susan Garcia
DEPUTY RECORDER

Recorded in Official Records
County of San Bernardino
Dep#: 2014-0327047
9/04/2014 2:47 PM

CITY OF ONTARIO

Agenda Report
June 20, 2017

SECTION:
CONSENT CALENDAR

SUBJECT: A RESOLUTION ESTABLISHING THE ANNUAL SPECIAL TAX WITHIN COMMUNITY FACILITIES DISTRICT NO. 25 (PARK PLACE FACILITIES - PHASE II) FOR FISCAL YEAR 2017-18

RECOMMENDATION: That the City Council adopt a resolution establishing the annual special tax within City of Ontario Community Facilities District No. 25 (Park Place Facilities - Phase II) for Fiscal Year 2017-18.

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

FISCAL IMPACT: As proposed, for Fiscal Year 2017-18, special tax revenue to acquire public improvements and pay related district expenses will be generated in the amount of \$111,032.

BACKGROUND: On December 6, 2016, the City Council, in accordance with the Mello-Roos Act, took the initial steps in the formation of Community Facilities District No. 25 ("District") with the adoption of Resolution No. 2016-119, declaring the City's intention to establish the District and to authorize the levy of special taxes. On January 17, 2017, the City Council adopted Resolution No. 2017-003 establishing the formation of the District. Upon a successful property owner election, the City Council adopted Ordinance No. 3067 on February 7, 2017, authorizing the levy of special taxes for the District to finance public improvements related to the Park Place Facilities – Phase II project. As adopted, the special tax for public improvements is to be levied each fiscal year, beginning in Fiscal Year 2017-18.

The District, as shown on the boundary map, addresses the residential development of approximately 49 acres located generally east of Archibald Avenue, west of Celebration Avenue, south of Parkview Street and north of Merrill Avenue. At build-out, the development will include 253 detached residential units.

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. 06/20/2017

Approved: _____

Continued to: _____

Denied: _____

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The adoption of a resolution by the City Council is required annually to establish the special tax rates to be levied. The assigned/maximum and proposed annual tax rates for Fiscal Year 2017-18, which are being assessed on all developed property, are as follows:

Annual Facilities Tax Rates

Land Use	Residential Floor Area (Sq. Ft.)	No. of Units/Acres	FY 2017-18 Assigned/Maximum Tax Rates	FY 2017-18 Proposed Annual Tax Rates	Total
Developed Property:					
Residential Property	<1,701	-	\$1,691.00 per Unit	\$1,691.00 per Unit	\$0.00
Residential Property	1,701-1,800	-	\$1,806.00 per Unit	\$1,806.00 per Unit	\$0.00
Residential Property	1,801-1,900	-	\$1,911.00 per Unit	\$1,911.00 per Unit	\$0.00
Residential Property	1,901-2,000	-	\$1,999.00 per Unit	\$1,999.00 per Unit	\$0.00
Residential Property	2,001-2,100	-	\$2,078.00 per Unit	\$2,078.00 per Unit	\$0.00
Residential Property	2,101-2,200	-	\$2,297.00 per Unit	\$2,297.00 per Unit	\$0.00
Residential Property	2,201-2,300	-	\$2,332.00 per Unit	\$2,332.00 per Unit	\$0.00
Residential Property	2,301-2,400	-	\$2,442.00 per Unit	\$2,442.00 per Unit	\$0.00
Residential Property	2,401-2,500	30	\$2,525.00 per Unit	\$2,525.00 per Unit	\$75,750.00
Residential Property	2,501-2,600	-	\$2,586.00 per Unit	\$2,586.00 per Unit	\$0.00
Residential Property	2,601-2,700	13	\$2,714.00 per Unit	\$2,714.00 per Unit	\$35,282.00
Residential Property	2,701-2,800	-	\$2,732.00 per Unit	\$2,732.00 per Unit	\$0.00
Residential Property	2,801-2,900	-	\$2,883.00 per Unit	\$2,883.00 per Unit	\$0.00
Residential Property	2,901-3,000	-	\$2,885.00 per Unit	\$2,885.00 per Unit	\$0.00
Residential Property	3,001-3,100	-	\$2,996.00 per Unit	\$2,996.00 per Unit	\$0.00
Residential Property	3,101-3,200	-	\$2,999.00 per Unit	\$2,999.00 per Unit	\$0.00
Residential Property	>3,200	-	\$3,113.00 per Unit	\$3,113.00 per Unit	\$0.00
				Annual Tax Total	\$111,032.00

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, ACTING IN ITS CAPACITY AS THE LEGISLATIVE BODY OF CITY OF ONTARIO COMMUNITY FACILITIES DISTRICT NO. 25 (PARK PLACE FACILITIES – PHASE II), ESTABLISHING THE ANNUAL SPECIAL TAX FOR FISCAL YEAR 2017-18.

WHEREAS, the City Council of the City of Ontario, California, has initiated proceedings, held a public hearing, conducted an election and received a favorable vote from the qualified electors relating to the levy of a special tax in a community facilities district, all as authorized pursuant to the terms and provisions of the "Mello-Roos Community Facilities Act of 1982" (the "Act"), being Chapter 2.5, Part 1, Division 2, Title 5, of the Government Code of the State of California. This Community Facilities District is designated as City of Ontario Community Facilities District No. 25 (Park Place Facilities – Phase II) (hereinafter referred to as "District"); and

WHEREAS, the City Council did, acting as the legislative body of the District, by the enactment of Ordinance No. 3002 (the "Special Tax Ordinance") as authorized by Section 53340 of the Government Code of the State of California, authorize the levy of a special tax to pay for costs and expenses related to the District, and this legislative body is desirous to establish the specific rates of the special tax to be collected for the specified Fiscal Year.

NOW, THEREFORE, IT IS HEREBY RESOLVED AS FOLLOWS:

SECTION 1. The above recitals are all true and correct.

SECTION 2. That the specific rates and amount of the special tax to be collected to pay for the costs and expenses (as defined in Section 5 below) for the referenced Fiscal Year for the District is hereby determined and established as set forth in the attached referenced and incorporated Exhibit "A."

SECTION 3. That the rates as set forth above does not exceed the amount as previously authorized by the Special Tax Ordinance of this legislative body, and is not in excess of that as previously approved by the qualified electors of the District.

SECTION 4. The City Manager is authorized and directed to file a certified copy of this Resolution, together with a list of all parcels subject to the special tax for the above specified Fiscal Year and the amount of the special tax to be levied against each such parcel, with the County Auditor/Tax Collector of the County of San Bernardino on or before August 10; provided, however, that such may be filed after August 10, but not later than August 21, if the City Manager obtains the prior written consent of such County Auditor/Tax Collector.

SECTION 5. That the proceeds of the special tax shall be used only to pay the following costs and expenses:

- (a) Costs of providing facilities and services authorized to be financed by the District;
- (b) Costs incurred by the District and the City in the annual levy and collection of the special taxes;
- (c) Administrative costs of the District; and
- (d) Any incidental expenses authorized to be financed by the District.

SECTION 6. 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 same procedure and sale in cases of any delinquency for ad valorem taxes, and the County Auditor/Tax Collector is hereby authorized to deduct reasonable administrative costs incurred in collecting any said special tax.

SECTION 7. All monies above collected shall be paid into the Community Facilities District No. 25 Fund.

SECTION 8. The County Auditor/Tax Collector is hereby directed to enter in the next County assessment roll on which taxes will become due, opposite each lot or parcel of land affected in a space marked "CFD No. 25 Special Tax," or by any other suitable designation, the installment of the special tax.

SECTION 9. The County Auditor/Tax Collector shall then, at the close of the tax collection period, promptly render to the District a detailed report showing the amount and/or amounts of such special tax installments, interests, penalties, and percentages so collected and from what property collected, and also provide a statement of any percentages retained for the expense of making any such collection.

SECTION 10. This legislative body hereby certifies that the levy of the special tax was authorized in accordance with the provisions of the Act, and complies with the requirements of Articles XIII A and XIII C of the Constitution of the State of California.

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

PASSED, APPROVED, AND ADOPTED this 20th day of June 2017.

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. 2017- was duly passed and adopted by the City Council of the City of Ontario at their regular meeting held June 20, 2017 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. 2017- duly passed and adopted by the Ontario City Council at their regular meeting held June 20, 2017.

SHEILA MAUTZ, CITY CLERK

(SEAL)

EXHIBIT "A"

**CITY OF ONTARIO
COMMUNITY FACILITIES DISTRICT NO. 25 (PARK PLACE FACILITIES – PHASE II)**

**SPECIAL TAX RATES
FOR FISCAL YEAR 2017-18**

ANNUAL FACILITIES TAX RATES

Land Use	Residential Floor Area (Sq. Ft.)	FY 2017-18 Assigned/Maximum Tax Rates		FY 2017-18 Proposed Annual Tax Rates	
Developed Property:					
Residential Property	<1,701	\$1,691.00	per Unit	\$1,691.00	per Unit
Residential Property	1,701-1,800	\$1,806.00	per Unit	\$1,806.00	per Unit
Residential Property	1,801-1,900	\$1,911.00	per Unit	\$1,911.00	per Unit
Residential Property	1,901-2,000	\$1,999.00	per Unit	\$1,999.00	per Unit
Residential Property	2,001-2,100	\$2,078.00	per Unit	\$2,078.00	per Unit
Residential Property	2,101-2,200	\$2,297.00	per Unit	\$2,297.00	per Unit
Residential Property	2,201-2,300	\$2,332.00	per Unit	\$2,332.00	per Unit
Residential Property	2,301-2,400	\$2,442.00	per Unit	\$2,442.00	per Unit
Residential Property	2,401-2,500	\$2,525.00	per Unit	\$2,525.00	per Unit
Residential Property	2,501-2,600	\$2,586.00	per Unit	\$2,586.00	per Unit
Residential Property	2,601-2,700	\$2,714.00	per Unit	\$2,714.00	per Unit
Residential Property	2,701-2,800	\$2,732.00	per Unit	\$2,732.00	per Unit
Residential Property	2,801-2,900	\$2,883.00	per Unit	\$2,883.00	per Unit
Residential Property	2,901-3,000	\$2,885.00	per Unit	\$2,885.00	per Unit
Residential Property	3,001-3,100	\$2,996.00	per Unit	\$2,996.00	per Unit
Residential Property	3,101-3,200	\$2,999.00	per Unit	\$2,999.00	per Unit
Residential Property	>3,200	\$3,113.00	per Unit	\$3,113.00	per Unit

PROPOSED BOUNDARIES OF
CITY OF ONTARIO
COMMUNITY FACILITIES DISTRICT NO. 25
(PARK PLACE FACILITIES PHASE II)
COUNTY OF SAN BERNARDINO
STATE OF CALIFORNIA

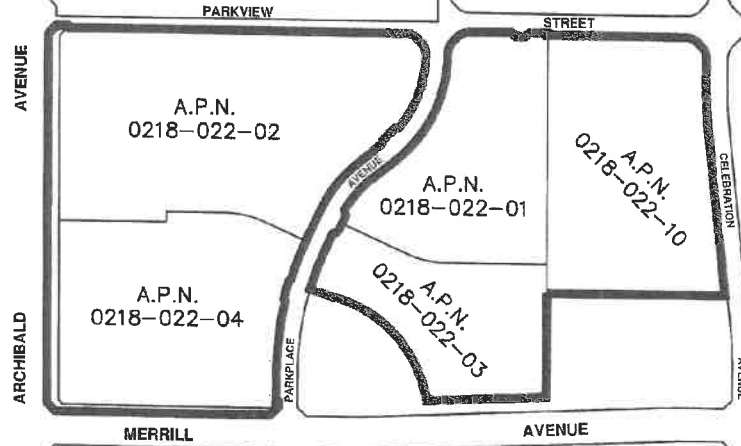


LEGEND

Proposed Boundaries of City of Ontario
Community Facilities District No. 25
(Park Place Facilities Phase II),
San Bernardino County, California

Assessor Parcel Line

Reference is hereby made to the Assessor maps of the County of San Bernardino for a description of the lines and dimensions of each lot and parcel.



Assessor Parcel Numbers within the Boundaries of City of Ontario Community Facilities District No. 25 (Park Place Facilities Phase II):

- 0218-022-01-0000
- 0218-022-02-0000
- 0218-022-03-0000
- 0218-022-04-0000
- 0218-022-10-0000

(1) Filed in the office of the Clerk of the City of Ontario this 5th day of December, 2016.

Sheila Mautz, Assistant City Clerk
for
Sheila Mautz, Clerk of the City of Ontario,
California

(2) I hereby certify that the within map showing the proposed boundaries of City of Ontario Community Facilities District No. 25 (Park Place Facilities Phase II), County of San Bernardino, State of California, was approved by the City Council of the City of Ontario at a regular meeting thereof, held on the 6th day of December, 2016, by its Resolution No. 2016-119.

Sheila Mautz, Assistant City Clerk
for
Sheila Mautz, Clerk of the City of Ontario,
California



(3) San Bernardino County Recorder's Certificate

This map has been filed under Document Number 2016-055006B, this 15th day of DECEMBER, 2016, at 3:44 P.m., in Book 87 of Maps of Assessment and Community Facilities Districts at page 35, in the office of the county recorder in the County of San Bernardino, State of California, at the request of the City of Ontario in the amount of \$ 10.00.

Bob Dutton
Assessor-Recorder
County of San Bernardino

By: Michelle Turrie-Rest
Deputy Recorder

Recorded in Official Records,
County of San Bernardino
Date: 2016-12-05 09:44 PM
12/16/2016

CITY OF ONTARIO

Agenda Report
June 20, 2017

SECTION:
CONSENT CALENDAR

SUBJECT: A RESOLUTION ESTABLISHING THE ANNUAL SPECIAL TAX WITHIN COMMUNITY FACILITIES DISTRICT NO. 27 (NEW HAVEN SERVICES) FOR FISCAL YEAR 2017-18

RECOMMENDATION: That the City Council adopt a resolution establishing the annual special tax within City of Ontario Community Facilities District No. 27 (New Haven Services) for Fiscal Year 2017-18.

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

FISCAL IMPACT: Special tax revenue will be generated in the amount of \$598,476 to fund City services, administration and incidental expenses.

BACKGROUND: On May 6, 2014, the City Council, in accordance with the Mello-Roos Act, took the initial steps in the formation of Community Facilities District No. 27 ("District") with the adoption of Resolution No. 2014-035, declaring the City's intention to establish the District and to authorize the levy of special taxes. On June 17, 2014, the City Council adopted Resolution No. 2014-061, forming the District. Upon a successful property owner election, the City Council adopted Ordinance No. 2993 on July 1, 2014, authorizing the levy of special taxes in the District to finance City services related to the New Haven residential project.

The District, as shown on the boundary map, addresses the residential development of approximately 179 acres located north of Edison Avenue south of Schaefer Avenue, east of Archibald Avenue, and west of Haven Avenue. At build-out, the development will include 1,247 residential units: 712 detached units, 352 attached units, and 183 apartments.

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. 06/20/2017

Approved: _____

Continued to: _____

Denied: _____

16

As adopted, the special tax for City services is to be levied each fiscal year, beginning in Fiscal Year 2015-16, to fund City services. The services authorized to be financed, in whole or in part, by City of Ontario Community Facilities District No. 27 (New Haven Services) are as follows: police protection services, fire protection and suppression services, ambulance and paramedic services, maintenance and lighting of parks, parkways, streets, roads, open space and flood and storm drain protection services, and maintenance and operation of any real property or tangible property with an estimated useful life of five or more years that is owned by the City.

The adoption of a resolution by the City Council is required annually to establish the special tax rates to be levied. As noted, Fiscal Year 2015-16 was the first year that the special tax was levied. Pursuant to the Rate and Method of Apportionment of Special Tax that was approved by the property owners, "...beginning on January 1, 2015, and annually thereafter, the maximum annual services special tax rate shall be increased at a rate equal to 4.0% of the amount in effect for the prior Fiscal Year." The assessed tax rates for Fiscal Year 2016-17, and the maximum and proposed annual tax rates for Fiscal Year 2017-18, are as follows:

Annual Tax Rates

	FY 2016-17 Annual Tax Rates	FY 2017-18 Maximum Tax Rates	FY 2017-18 Proposed Annual Tax Rates	No. of Units	Total
Single-Family Detached Unit	\$1,500.18	\$1,560.19	\$1,560.19	238	\$371,325.22
Multiple Family Unit	\$1,300.08	\$1,352.09	\$1,352.09	168	\$227,151.12
Gated Apartment Community Unit	\$1,090.25	\$1,133.86	\$1,133.86	-	\$ -
Non-Residential Property	\$ 0.28	\$ 0.29	\$ 0.29	-	\$ -
Annual Tax Amount					\$598,476.34

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, ACTING IN ITS CAPACITY AS THE LEGISLATIVE BODY OF CITY OF ONTARIO COMMUNITY FACILITIES DISTRICT NO. 27 (NEW HAVEN SERVICES), ESTABLISHING THE ANNUAL SPECIAL TAX FOR FISCAL YEAR 2017-18.

WHEREAS, the City Council of the City of Ontario, California, has initiated proceedings, held a public hearing, conducted an election and received a favorable vote from the qualified electors relating to the levy of a special tax in a community facilities district, all as authorized pursuant to the terms and provisions of the "Mello-Roos Community Facilities Act of 1982" (the "Act"), being Chapter 2.5, Part 1, Division 2, Title 5, of the Government Code of the State of California. This Community Facilities District is designated as City of Ontario Community Facilities District No. 27 (New Haven Services) (hereinafter referred to as "District"); and

WHEREAS, the City Council did, acting as the legislative body of the District, by the enactment of Ordinance No. 2993 (the "Special Tax Ordinance") as authorized by Section 53340 of the Government Code of the State of California, authorize the levy of a special tax to pay for costs and expenses related to the District, and this legislative body is desirous to establish the specific rates of the special tax to be collected for the specified Fiscal Year.

NOW, THEREFORE, IT IS HEREBY RESOLVED AS FOLLOWS:

SECTION 1. The above recitals are all true and correct.

SECTION 2. That the specific rates and amount of the special tax to be collected to pay for the costs and expenses (as defined in Section 5 below) for the referenced Fiscal Year for the District is hereby determined and established as set forth in the attached referenced and incorporated Exhibit "A."

SECTION 3. That the rates as set forth above does not exceed the amount as previously authorized by the Special Tax Ordinance of this legislative body, and is not in excess of that as previously approved by the qualified electors of the District.

SECTION 4. The City Manager is authorized and directed to file a certified copy of this Resolution, together with a list of all parcels subject to the special tax for the above specified Fiscal Year and the amount of the special tax to be levied against each such parcel, with the County Auditor/Tax Collector of the County of San Bernardino on or before August 10; provided, however, that such may be filed after August 10, but not later than August 21, if the City Manager obtains the prior written consent of such County Auditor/Tax Collector.

SECTION 5. That the proceeds of the special tax shall be used only to pay the following costs and expenses:

- (a) Costs of those services authorized to be financed by the District;
- (b) Costs incurred by the District and the City in the annual levy and collection of the special taxes;
- (c) Administrative costs of the District; and
- (d) Any incidental expenses authorized to be financed by the District.

SECTION 6. 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 same procedure and sale in cases of any delinquency for ad valorem taxes, and the County Auditor/Tax Collector is hereby authorized to deduct reasonable administrative costs incurred in collecting any said special tax.

SECTION 7. All monies above collected shall be paid into the Community Facilities District No. 27 Fund.

SECTION 8. The County Auditor/Tax Collector is hereby directed to enter in the next County assessment roll on which taxes will become due, opposite each lot or parcel of land affected in a space marked "Ontario C.F.D. No. 27 Special Tax," or by any other suitable designation, the installment of the special tax.

SECTION 9. The County Auditor/Tax Collector shall then, at the close of the tax collection period, promptly render to the District a detailed report showing the amount and/or amounts of such special tax installments, interests, penalties, and percentages so collected and from what property collected, and also provide a statement of any percentages retained for the expense of making any such collection.

SECTION 10. This legislative body hereby certifies that the levy of the special tax was authorized in accordance with the provisions of the Act, and complies with the requirements of Articles XIII A and XIII C of the Constitution of the State of California.

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

PASSED, APPROVED, AND ADOPTED this 20th day of June 2017.

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. 2017- was duly passed and adopted by the City Council of the City of Ontario at their regular meeting held June 20, 2017 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. 2017- duly passed and adopted by the Ontario City Council at their regular meeting held June 20, 2017.

SHEILA MAUTZ, CITY CLERK

(SEAL)

EXHIBIT "A"

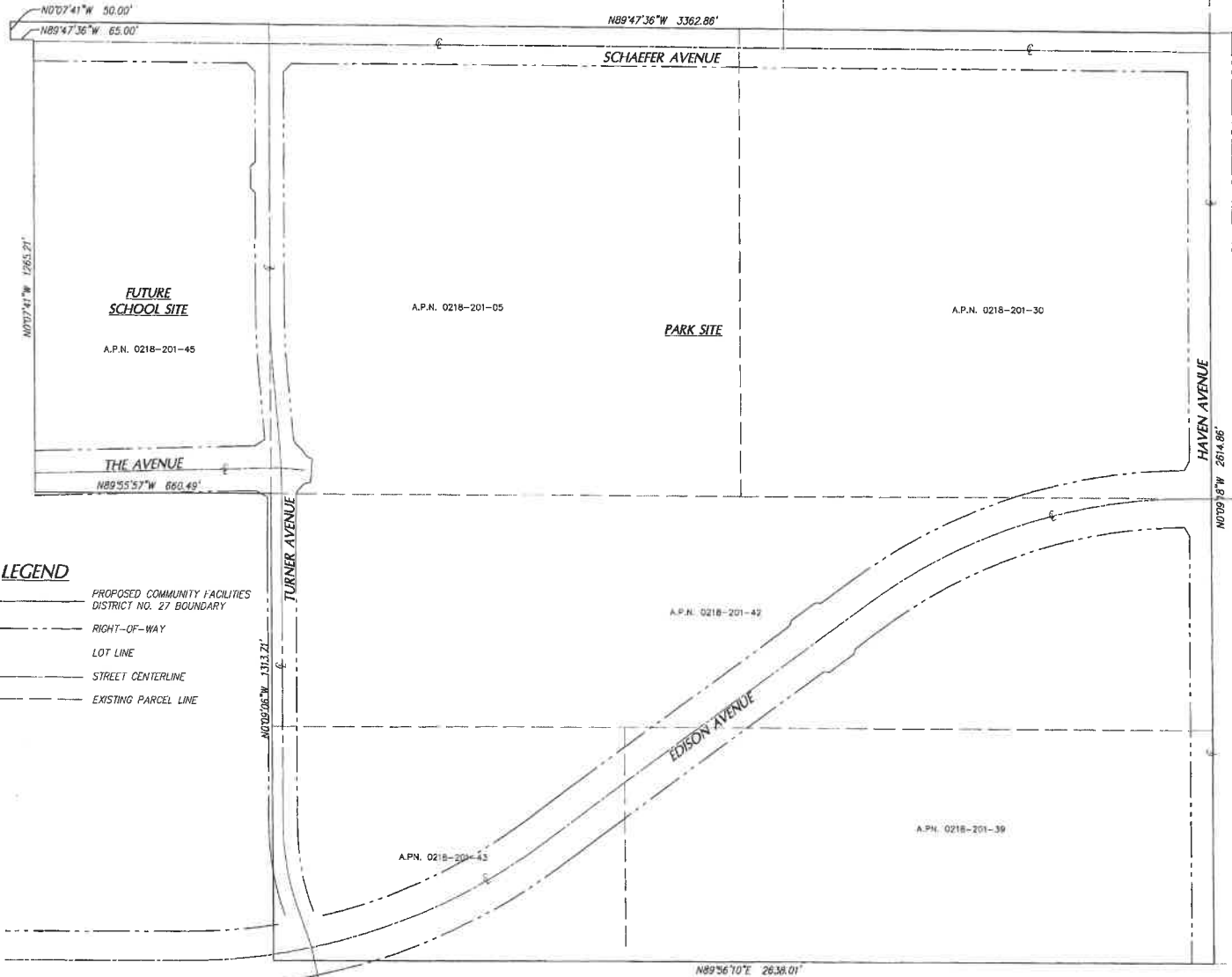
**CITY OF ONTARIO
COMMUNITY FACILITIES DISTRICT NO. 27 (NEW HAVEN SERVICES)**

**SPECIAL TAX RATES
FOR FISCAL YEAR 2017-18**

Land Use	Annual Tax Rates
Single Family Detached Unit	\$1,560.19
Multiple Family Unit	\$1,352.09
Gated Apartment Unit	\$1,133.86
Non-Residential Property	\$ 0.29

21/98

PROPOSED BOUNDARIES OF CITY OF ONTARIO COMMUNITY FACILITIES DISTRICT NO. 27 (NEW HAVEN SERVICES) COUNTY OF SAN BERNARDINO STATE OF CALIFORNIA



LEGEND

- PROPOSED COMMUNITY FACILITIES DISTRICT NO. 27 BOUNDARY
- - - RIGHT-OF-WAY
- LOT LINE
- STREET CENTERLINE
- - - EXISTING PARCEL LINE

Filed in the office of the City Clerk of the City of Ontario this 7th day of May, 2014.
D. D. Kasad
 Asst. City Clerk of the City of Ontario

I hereby certify that the within map showing the proposed boundaries of City of Ontario Community Facilities District No. 27 (New Haven Services), County of San Bernardino, State of California, was approved by the City Council of the City of Ontario at a regular meeting thereof, held on the 6th day of May, 2014, by its Resolution No. 2014-025.
D. D. Kasad
 Asst. City Clerk of the City of Ontario

San Bernardino County Recorder's Certificate
 Filed this 12th day of May, 2014 at the hour of 10:08 o'clock A.M., in Book 86 of Maps of Assessment and Community Facilities Districts at Page 17, and as Instrument No. 2014-0179922 in the Office of the County Recorder in the County of San Bernardino, State of California, in the amount of \$ 10.00.

Dennis Draeger
 Assessor-Recorder-Clerk
 County of San Bernardino

Recorded in Official Records,
 County of San Bernardino
 Dist#: 2014-0170922
 5/13/2014 10:02 AM

By: *Dennis Draeger*
 Deputy Recorder



CITY OF ONTARIO

Agenda Report
June 20, 2017

SECTION:
CONSENT CALENDAR

SUBJECT: A RESOLUTION ESTABLISHING THE ANNUAL SPECIAL TAX WITHIN COMMUNITY FACILITIES DISTRICT NO. 28 (NEW HAVEN FACILITIES - AREA A) FOR FISCAL YEAR 2017-18

RECOMMENDATION: That the City Council adopt a resolution establishing the annual special tax within City of Ontario Community Facilities District No. 28 (New Haven Facilities - Area A) for Fiscal Year 2017-18.

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

FISCAL IMPACT: Special tax revenue, required to pay the debt service on the District's outstanding bonds, administration, and incidental expenses, will be generated in the amount of \$668,352.

BACKGROUND: On September 15, 2015, the City Council, in accordance with the Mello-Roos Act, took the initial steps in the formation of Community Facilities District No. 28 ("District") with the adoption of Resolution No. 2015-098, declaring the City's intention to establish the District and to authorize the levy of special taxes. On October 20, 2015, the City Council adopted Resolution No. 2015-111, forming the District. Upon a successful property owner election, the City Council adopted Ordinance No. 3031 in November 2015, authorizing the levy of special taxes for the District to finance public improvements related to the New Haven Facilities - Area A project. As adopted, the special tax for public improvements is to be levied each fiscal year, beginning in Fiscal Year 2016-17.

The District, as shown on the boundary map, addresses the development of approximately 53 acres located generally east of Turner Avenue, west of Haven Avenue, south of Schaefer Avenue, and north of Ontario Ranch Road (formerly Edison Avenue). At build-out, the residential development will include 240 detached and 92 attached residential units.

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. 06/20/2017

Approved: _____

Continued to: _____

Denied: _____

17

The adoption of a resolution by the City Council is required annually to establish the special tax rates to be levied. As noted, Fiscal Year 2016-17 was the first year that the special tax was levied. The assigned/maximum and proposed annual tax rates for Fiscal Year 2017-18, which are being assessed on all developed and final mapped property, are as follows:

Annual Facilities Tax Rates

Land Use	Residential Floor Area (Sq. Ft.)	No. of Units/ Acres	FY 2017-18 Assigned/Maximum Tax Rates	FY 2017-18 Proposed Annual Tax Rates	Total	
Developed Property:						
Single Family Detached Property	<1,701	-	\$1,725.00 per Unit	\$1,725.00 per Unit	-	
Single Family Detached Property	1,701-1,900	15	\$1,818.00 per Unit	\$1,818.00 per Unit	\$27,270.00	
Single Family Detached Property	1,901-2,100	18	\$2,005.00 per Unit	\$2,005.00 per Unit	\$36,090.00	
Single Family Detached Property	2,101-2,300	31	\$2,201.00 per Unit	\$2,201.00 per Unit	\$68,231.00	
Single Family Detached Property	2,301-2,500	-	\$2,354.00 per Unit	\$2,354.00 per Unit	-	
Single Family Detached Property	2,501-2,700	9	\$2,501.00 per Unit	\$2,501.00 per Unit	\$22,509.00	
Single Family Detached Property	2,701-2,900	-	\$2,694.00 per Unit	\$2,694.00 per Unit	-	
Single Family Detached Property	2,901-3,100	-	\$2,769.00 per Unit	\$2,769.00 per Unit	-	
Single Family Detached Property	3,101-3,300	11	\$2,910.00 per Unit	\$2,910.00 per Unit	\$32,010.00	
Single Family Detached Property	3,301-3,500	11	\$3,083.00 per Unit	\$3,083.00 per Unit	\$33,913.00	
Single Family Detached Property	3,501-3,700	11	\$3,184.00 per Unit	\$3,184.00 per Unit	\$35,024.00	
Single Family Detached Property	3,701-3,900	-	\$3,323.00 per Unit	\$3,323.00 per Unit	-	
Single Family Detached Property	3,901-4,100	-	\$3,462.00 per Unit	\$3,462.00 per Unit	-	
Single Family Detached Property	4,101-4,300	-	\$3,600.00 per Unit	\$3,600.00 per Unit	-	
Single Family Detached Property	4,301-4,500	-	\$3,739.00 per Unit	\$3,739.00 per Unit	-	
Single Family Detached Property	4,501-4,700	-	\$3,877.00 per Unit	\$3,877.00 per Unit	-	
Single Family Detached Property	>4,700	-	\$4,016.00 per Unit	\$4,016.00 per Unit	-	
Single Family Attached Property	<801	-	\$773.00 per Unit	\$773.00 per Unit	-	
Single Family Attached Property	801-950	-	\$854.00 per Unit	\$854.00 per Unit	-	
Single Family Attached Property	951-1,100	20	\$896.00 per Unit	\$896.00 per Unit	\$17,920.00	
Single Family Attached Property	1,101-1,300	-	\$1,098.00 per Unit	\$1,098.00 per Unit	-	
Single Family Attached Property	1,301-1,500	10	\$1,260.00 per Unit	\$1,260.00 per Unit	\$12,600.00	
Single Family Attached Property	1,501-1,700	20	\$1,422.00 per Unit	\$1,422.00 per Unit	\$28,440.00	
Single Family Attached Property	1,701-1,900	20	\$1,594.00 per Unit	\$1,594.00 per Unit	\$31,880.00	
Single Family Attached Property	1,901-2,100	-	\$1,747.00 per Unit	\$1,747.00 per Unit	-	
Single Family Attached Property	2,101-2,300	-	\$1,910.00 per Unit	\$1,910.00 per Unit	-	
Single Family Attached Property	>2,300	-	\$2,072.00 per Unit	\$2,072.00 per Unit	-	
Final Mapped Property	N/A	11.42	\$32,777.00 per Acre	\$28,236.86 per Acre	\$322,464.92	
					Annual Tax Total	\$668,351.92

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, ACTING IN ITS CAPACITY AS THE LEGISLATIVE BODY OF CITY OF ONTARIO COMMUNITY FACILITIES DISTRICT NO. 28 (NEW HAVEN FACILITIES – AREA A), ESTABLISHING THE ANNUAL SPECIAL TAX FOR FISCAL YEAR 2017-18.

WHEREAS, the City Council of the City of Ontario, California, has initiated proceedings, held a public hearing, conducted an election and received a favorable vote from the qualified electors relating to the levy of a special tax in a community facilities district, all as authorized pursuant to the terms and provisions of the "Mello-Roos Community Facilities Act of 1982" (the "Act"), being Chapter 2.5, Part 1, Division 2, Title 5, of the Government Code of the State of California. This Community Facilities District is designated as City of Ontario Community Facilities District No. 28 (NEW HAVEN FACILITIES – AREA A) (hereinafter referred to as "District"); and

WHEREAS, the City Council did, acting as the legislative body of the District, by the enactment of Ordinance No. 3031 (the "Special Tax Ordinance") as authorized by Section 53340 of the Government Code of the State of California, authorize the levy of a special tax to pay for costs and expenses related to the District, and this legislative body is desirous to establish the specific rates of the special tax to be collected for the specified Fiscal Year.

NOW, THEREFORE, IT IS HEREBY RESOLVED AS FOLLOWS:

SECTION 1. The above recitals are all true and correct.

SECTION 2. That the specific rates and amount of the special tax to be collected to pay for the costs and expenses (as defined in Section 5 below) for the referenced Fiscal Year for the District is hereby determined and established as set forth in the attached referenced and incorporated Exhibit "A."

SECTION 3. That the rates as set forth above does not exceed the amount as previously authorized by the Special Tax Ordinance of this legislative body, and is not in excess of that as previously approved by the qualified electors of the District.

SECTION 4. The City Manager is authorized and directed to file a certified copy of this Resolution, together with a list of all parcels subject to the special tax for the above specified Fiscal Year and the amount of the special tax to be levied against each such parcel, with the County Auditor/Tax Collector of the County of San Bernardino on or before August 10; provided, however, that such may be filed after August 10, but not later than August 21, if the City Manager obtains the prior written consent of such County Auditor/Tax Collector.

SECTION 5. That the proceeds of the special tax shall be used only to pay the following costs and expenses:

- (a) Costs of providing facilities and services authorized to be financed by the District;
- (b) Costs incurred by the District and the City in the annual levy and collection of the special taxes;
- (c) Administrative costs of the District; and
- (d) Any incidental expenses authorized to be financed by the District.

SECTION 6. 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 same procedure and sale in cases of any delinquency for ad valorem taxes, and the County Auditor/Tax Collector is hereby authorized to deduct reasonable administrative costs incurred in collecting any said special tax.

SECTION 7. All monies above collected shall be paid into the Community Facilities District No. 28 Fund.

SECTION 8. The County Auditor/Tax Collector is hereby directed to enter in the next County assessment roll on which taxes will become due, opposite each lot or parcel of land affected in a space marked "CFD No. 28 Special Tax," or by any other suitable designation, the installment of the special tax.

SECTION 9. The County Auditor/Tax Collector shall then, at the close of the tax collection period, promptly render to the District a detailed report showing the amount and/or amounts of such special tax installments, interests, penalties, and percentages so collected and from what property collected, and also provide a statement of any percentages retained for the expense of making any such collection.

SECTION 10. This legislative body hereby certifies that the levy of the special tax was authorized in accordance with the provisions of the Act, and complies with the requirements of Articles XIII A and XIII C of the Constitution of the State of California.

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

PASSED, APPROVED, AND ADOPTED this 20th day of June 2017.

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. 2017- was duly passed and adopted by the City Council of the City of Ontario at their regular meeting held June 20, 2017 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. 2017- duly passed and adopted by the Ontario City Council at their regular meeting held June 20, 2017.

SHEILA MAUTZ, CITY CLERK

(SEAL)

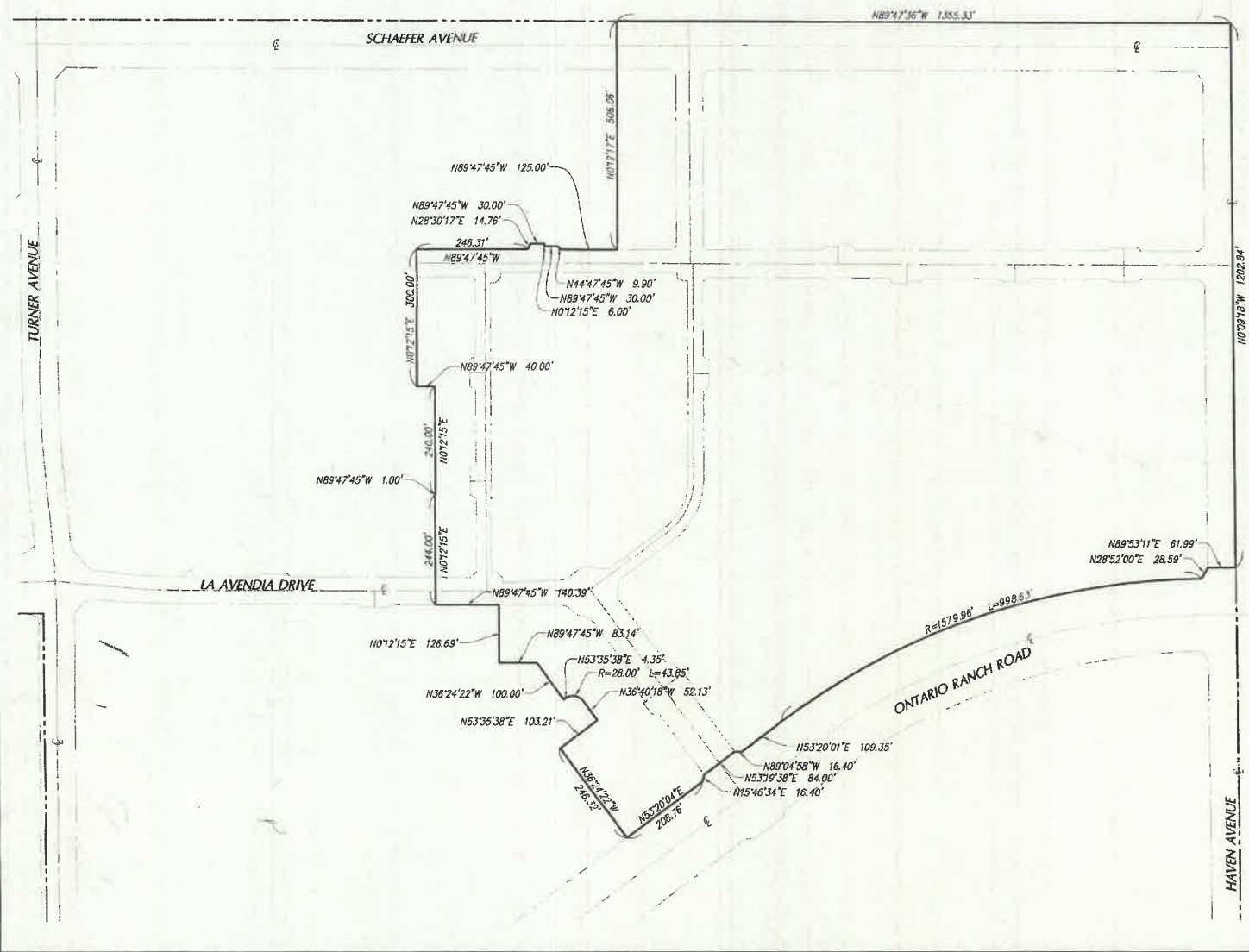
EXHIBIT "A"
CITY OF ONTARIO
COMMUNITY FACILITIES DISTRICT NO. 28 (NEW HAVEN FACILITIES – AREA A)

SPECIAL TAX RATES
FOR FISCAL YEAR 2017-18

ANNUAL FACILITIES TAX RATES

Land Use	Residential Floor Area (Sq. Ft.)	No. of Units/ Acres	FY 2017-18 Assigned/Maximum Tax Rates	FY 2017-18 Proposed Annual Tax Rates	Total
Developed Property:					
Single Family Detached Property	<1,701	-	\$1,725.00 per Unit	\$1,725.00 per Unit	-
Single Family Detached Property	1,701-1,900	15	\$1,818.00 per Unit	\$1,818.00 per Unit	\$27,270.00
Single Family Detached Property	1,901-2,100	18	\$2,005.00 per Unit	\$2,005.00 per Unit	\$36,090.00
Single Family Detached Property	2,101-2,300	31	\$2,201.00 per Unit	\$2,201.00 per Unit	\$68,231.00
Single Family Detached Property	2,301-2,500	-	\$2,354.00 per Unit	\$2,354.00 per Unit	-
Single Family Detached Property	2,501-2,700	9	\$2,501.00 per Unit	\$2,501.00 per Unit	\$22,509.00
Single Family Detached Property	2,701-2,900	-	\$2,694.00 per Unit	\$2,694.00 per Unit	-
Single Family Detached Property	2,901-3,100	-	\$2,769.00 per Unit	\$2,769.00 per Unit	-
Single Family Detached Property	3,101-3,300	11	\$2,910.00 per Unit	\$2,910.00 per Unit	\$32,010.00
Single Family Detached Property	3,301-3,500	11	\$3,083.00 per Unit	\$3,083.00 per Unit	\$33,913.00
Single Family Detached Property	3,501-3,700	11	\$3,184.00 per Unit	\$3,184.00 per Unit	\$35,024.00
Single Family Detached Property	3,701-3,900	-	\$3,323.00 per Unit	\$3,323.00 per Unit	-
Single Family Detached Property	3,901-4,100	-	\$3,462.00 per Unit	\$3,462.00 per Unit	-
Single Family Detached Property	4,101-4,300	-	\$3,600.00 per Unit	\$3,600.00 per Unit	-
Single Family Detached Property	4,301-4,500	-	\$3,739.00 per Unit	\$3,739.00 per Unit	-
Single Family Detached Property	4,501-4,700	-	\$3,877.00 per Unit	\$3,877.00 per Unit	-
Single Family Detached Property	>4,700	-	\$4,016.00 per Unit	\$4,016.00 per Unit	-
Single Family Attached Property	<801	-	\$773.00 per Unit	\$773.00 per Unit	-
Single Family Attached Property	801-950	-	\$854.00 per Unit	\$854.00 per Unit	-
Single Family Attached Property	951-1,100	20	\$896.00 per Unit	\$896.00 per Unit	\$17,920.00
Single Family Attached Property	1,101-1,300	-	\$1,098.00 per Unit	\$1,098.00 per Unit	-
Single Family Attached Property	1,301-1,500	10	\$1,260.00 per Unit	\$1,260.00 per Unit	\$12,600.00
Single Family Attached Property	1,501-1,700	20	\$1,422.00 per Unit	\$1,422.00 per Unit	\$28,440.00
Single Family Attached Property	1,701-1,900	20	\$1,594.00 per Unit	\$1,594.00 per Unit	\$31,880.00
Single Family Attached Property	1,901-2,100	-	\$1,747.00 per Unit	\$1,747.00 per Unit	-
Single Family Attached Property	2,101-2,300	-	\$1,910.00 per Unit	\$1,910.00 per Unit	-
Single Family Attached Property	>2,300	-	\$2,072.00 per Unit	\$2,072.00 per Unit	-
Final Mapped Property	N/A	11.42	\$32,777.00 per Acre	\$28,236.86 per Acre	\$322,464.92
Annual Tax Total					\$668,351.92

**PROPOSED BOUNDARIES OF CITY OF ONTARIO COMMUNITY FACILITIES
DISTRICT NO. 28 (NEW HAVEN FACILITIES - AREA A)
COUNTY OF SAN BERNARDINO
STATE OF CALIFORNIA**



Filed in the office of the City Clerk of the City of Ontario this 15th day of September, 2015.

Dick Wood
Asst. City Clerk of the City of Ontario

I hereby certify that the within map showing the proposed boundaries of City of Ontario Community Facilities District No. 28 (New Haven Facilities - Area A), County of San Bernardino, State of California, was approved by the City Council of the City of Ontario at a regular meeting thereof, held on the 15th day of Sept, 2015, by its Resolution No. 2015-098.

Dick Wood
Asst. City Clerk of the City of Ontario

San Bernardino County Recorder's Certificate
Filed this 22nd day of SEPTEMBER, 2015, at the hour of 2:09 o'clock P.M. in Book 616 of Maps of Assessment and Community Facilities Districts at Page 97, and under document number 2015-0414026 in the Office of the County Recorder in the County of San Bernardino, State of California, at the request of the City of Ontario, in the amount of \$10,000.

Bob Dutton
Assessor-Recorder
County of San Bernardino
By: *Michelle Curcio-Loss*
Deputy Recorder

Recorded in Official Records,
County of San Bernardino
Doc# 2015-0414026
9/22/2015 2:08 PM

LEGEND
PROPOSED BOUNDARIES OF CITY OF ONTARIO COMMUNITY FACILITIES DISTRICT NO. 28 (NEW HAVEN FACILITIES - AREA A)
RIGHT-OF-WAY
STREET CENTERLINE

City of Ontario Community Facilities District No. 28 (New Haven Facilities - Area A) includes:
Lots 1 through 17, inclusive, of Tract Map No. 18991.
Lots 1 through 227, inclusive of Tract Map No. 18992.

N
SCALE: 1" = 150'

CITY OF ONTARIO

Agenda Report
June 20, 2017

SECTION:
CONSENT CALENDAR

SUBJECT: A RESOLUTION ESTABLISHING THE ANNUAL SPECIAL TAX WITHIN COMMUNITY FACILITIES DISTRICT NO. 30 (NEW HAVEN FACILITIES - AREA B) FOR FISCAL YEAR 2017-18

RECOMMENDATION: That the City Council adopt a resolution establishing the annual special tax within City of Ontario Community Facilities District No. 30 (New Haven Facilities - Area B) for Fiscal Year 2017-18.

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

FISCAL IMPACT: As proposed, Fiscal Year 2017-18 special tax revenue, which will be used to acquire public improvements and to pay related district expenses, will be generated in the amount of \$443,278. The use of Mello-Roos financing for public facilities in the residential development of the New Haven Facilities - Area B project is estimated to generate approximately \$11.9 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: On May 17, 2016, the City Council, in accordance with the Mello-Roos Act, took the initial steps in the formation of Community Facilities District No. 30 ("District") with the adoption of Resolution No. 2016-034, declaring the City's intention to establish the District and to authorize the levy of special taxes. On August 16, 2016, the City Council adopted Resolution No. 2016-084, forming the District. Upon a successful property owner election, the City Council adopted Ordinance No. 3057 in September 2016, authorizing the levy of special taxes for the District to finance public improvements related to the New Haven Facilities - Area B project.

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. 06/20/2017

Approved: _____

Continued to: _____

Denied: _____

18

The District, as shown on the boundary map, addresses the development of approximately 58 acres located generally east of Turner Avenue, west of Haven Avenue, south of Schaefer Avenue, and north of Ontario Ranch Road (formerly Edison Avenue). At build-out, the residential development will include 346 detached and 98 attached residential units.

As adopted, the special tax for public improvements is to be levied each fiscal year. The public improvements authorized to be financed, in whole or in part, by City of Ontario Community Facilities District No. 30 (New Haven Facilities - Area B) are as follows: 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 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 such facilities.

The adoption of a resolution by the City Council is required annually to establish the special tax rates to be levied. Fiscal Year 2017-18 will be the first year that the special tax will be levied. The maximum and proposed annual tax rates for Fiscal Year 2017-18, which are being assessed on all developed property, are as follows:

FY 2017-18 ANNUAL TAX RATES

Land Use	Residential Floor Area (Sq. Ft.)	No. of Units/ Acres	FY 2017-18 Maximum Annual Tax Rates	FY 2017-18 Proposed Annual Tax Rates	Total
Single-Family Detached Property	<1,701	0	\$1,660 per Unit	\$1,660 per Unit	-
Single-Family Detached Property	1,701-1,900	0	\$1,837 per Unit	\$1,837 per Unit	-
Single Family Detached Property	1,901-2,100	19	\$1,896 per Unit	\$1,896 per Unit	\$ 36,024
Single Family Detached Property	2,101-2,300	58	\$2,053 per Unit	\$2,053 per Unit	\$119,074
Single Family Detached Property	2,301-2,500	0	\$2,251 per Unit	\$2,251 per Unit	-
Single Family Detached Property	2,501-2,700	25	\$2,404 per Unit	\$2,404 per Unit	\$ 60,100
Single Family Detached Property	2,701-2,900	0	\$2,557 per Unit	\$2,557 per Unit	-
Single Family Detached Property	2,901-3,100	0	\$2,703 per Unit	\$2,703 per Unit	-
Single Family Detached Property	3,101-3,300	10	\$2,816 per Unit	\$2,816 per Unit	\$ 28,160
Single Family Detached Property	3,301-3,500	10	\$2,962 per Unit	\$2,962 per Unit	\$ 29,620
Single Family Detached Property	3,501-3,700	10	\$3,156 per Unit	\$3,156 per Unit	\$ 31,560
Single Family Detached Property	3,701-3,900	0	\$3,274 per Unit	\$3,274 per Unit	-
Single Family Detached Property	>3,900	0	\$3,429 per Unit	\$3,429 per Unit	-
Single Family Attached Property	<801	0	\$ 851 per Unit	\$ 851 per Unit	-
Single Family Attached Property	801-950	0	\$ 911 per Unit	\$ 911 per Unit	-
Single Family Attached Property	951-1,100	28	\$1,019 per Unit	\$1,019 per Unit	\$ 28,532
Single Family Attached Property	1,101-1,300	0	\$1,136 per Unit	\$1,136 per Unit	-
Single Family Attached Property	1,301-1,500	14	\$1,300 per Unit	\$1,300 per Unit	\$ 18,200
Single Family Attached Property	1,501-1,700	28	\$1,595 per Unit	\$1,595 per Unit	\$ 44,660
Single Family Attached Property	1,701-1,900	28	\$1,691 per Unit	\$1,691 per Unit	\$ 47,348
Single Family Attached Property	>1,900	0	\$1,886 per Unit	\$1,886 per Unit	-
Annual Tax Amount					\$443,278

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, ACTING IN ITS CAPACITY AS THE LEGISLATIVE BODY OF CITY OF ONTARIO COMMUNITY FACILITIES DISTRICT NO. 30 (NEW HAVEN FACILITIES – AREA B), ESTABLISHING THE ANNUAL SPECIAL TAX FOR FISCAL YEAR 2017-18.

WHEREAS, the City Council of the City of Ontario, California, has initiated proceedings, held a public hearing, conducted an election and received a favorable vote from the qualified electors relating to the levy of a special tax in a community facilities district, all as authorized pursuant to the terms and provisions of the "Mello-Roos Community Facilities Act of 1982" (the "Act"), being Chapter 2.5, Part 1, Division 2, Title 5, of the Government Code of the State of California. This Community Facilities District is designated as City of Ontario Community Facilities District No. 30 (NEW HAVEN FACILITIES – AREA B) (hereinafter referred to as "District"); and

WHEREAS, the City Council did, acting as the legislative body of the District, by the enactment of Ordinance No.3057 (the "Special Tax Ordinance") as authorized by Section 53340 of the Government Code of the State of California, authorize the levy of a special tax to pay for costs and expenses related to the District, and this legislative body is desirous to establish the specific rates of the special tax to be collected for the specified Fiscal Year.

NOW, THEREFORE, IT IS HEREBY RESOLVED AS FOLLOWS:

SECTION 1. The above recitals are all true and correct.

SECTION 2. That the specific rates and amount of the special tax to be collected to pay for the costs and expenses (as defined in Section 5 below) for the referenced Fiscal Year for the District is hereby determined and established as set forth in the attached referenced and incorporated Exhibit "A."

SECTION 3. That the rates as set forth above does not exceed the amount as previously authorized by the Special Tax Ordinance of this legislative body, and is not in excess of that as previously approved by the qualified electors of the District.

SECTION 4. The City Manager is authorized and directed to file a certified copy of this Resolution, together with a list of all parcels subject to the special tax for the above specified Fiscal Year and the amount of the special tax to be levied against each such parcel, with the County Auditor/Tax Collector of the County of San Bernardino on or before August 10; provided, however, that such may be filed after August 10, but not later than August 21, if the City Manager obtains the prior written consent of such County Auditor/Tax Collector.

SECTION 5. That the proceeds of the special tax shall be used only to pay the following costs and expenses:

- (a) Costs of providing facilities and services authorized to be financed by the District;
- (b) Costs incurred by the District and the City in the annual levy and collection of the special taxes;
- (c) Administrative costs of the District; and
- (d) Any incidental expenses authorized to be financed by the District.

SECTION 6. 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 same procedure and sale in cases of any delinquency for ad valorem taxes, and the County Auditor/Tax Collector is hereby authorized to deduct reasonable administrative costs incurred in collecting any said special tax.

SECTION 7. All monies above collected shall be paid into the Community Facilities District No. 30 Fund.

SECTION 8. The County Auditor/Tax Collector is hereby directed to enter in the next County assessment roll on which taxes will become due, opposite each lot or parcel of land affected in a space marked "CFD No. 30 Special Tax," or by any other suitable designation, the installment of the special tax.

SECTION 9. The County Auditor/Tax Collector shall then, at the close of the tax collection period, promptly render to the District a detailed report showing the amount and/or amounts of such special tax installments, interests, penalties, and percentages so collected and from what property collected, and also provide a statement of any percentages retained for the expense of making any such collection.

SECTION 10. This legislative body hereby certifies that the levy of the special tax was authorized in accordance with the provisions of the Act, and complies with the requirements of Articles XIII A and XIII C of the Constitution of the State of California.

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

PASSED, APPROVED, AND ADOPTED this 20th day of June 2017.

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. 2017- was duly passed and adopted by the City Council of the City of Ontario at their regular meeting held June 20, 2017 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. 2017- duly passed and adopted by the Ontario City Council at their regular meeting held June 20, 2017.

SHEILA MAUTZ, CITY CLERK

(SEAL)

EXHIBIT "A"

**CITY OF ONTARIO
COMMUNITY FACILITIES DISTRICT NO. 30 (NEW HAVEN FACILITIES – AREA B)**

**SPECIAL TAX RATES
FOR FISCAL YEAR 2017-18**

ANNUAL FACILITIES TAX RATES

Land Use	Residential Floor Area (Sq. Ft.)	No. of Units/Acres	FY 2017-18 Maximum Annual Tax Rates	FY 2017-18 Proposed Annual Tax Rates	Total
Single-Family Detached Property	<1,701	0	\$1,660 per Unit	\$1,660 per Unit	-
Single-Family Detached Property	1,701-1,900	0	\$1,837 per Unit	\$1,837 per Unit	-
Single Family Detached Property	1,901-2,100	19	\$1,896 per Unit	\$1,896 per Unit	\$ 36,024
Single Family Detached Property	2,101-2,300	58	\$2,053 per Unit	\$2,053 per Unit	\$119,074
Single Family Detached Property	2,301-2,500	0	\$2,251 per Unit	\$2,251 per Unit	-
Single Family Detached Property	2,501-2,700	25	\$2,404 per Unit	\$2,404 per Unit	\$ 60,100
Single Family Detached Property	2,701-2,900	0	\$2,557 per Unit	\$2,557 per Unit	-
Single Family Detached Property	2,901-3,100	0	\$2,703 per Unit	\$2,703 per Unit	-
Single Family Detached Property	3,101-3,300	10	\$2,816 per Unit	\$2,816 per Unit	\$ 28,160
Single Family Detached Property	3,301-3,500	10	\$2,962 per Unit	\$2,962 per Unit	\$ 29,620
Single Family Detached Property	3,501-3,700	10	\$3,156 per Unit	\$3,156 per Unit	\$ 31,560
Single Family Detached Property	3,701-3,900	0	\$3,274 per Unit	\$3,274 per Unit	-
Single Family Detached Property	>3,900	0	\$3,429 per Unit	\$3,429 per Unit	-
Single Family Attached Property	<801	0	\$ 851 per Unit	\$ 851 per Unit	-
Single Family Attached Property	801-950	0	\$ 911 per Unit	\$ 911 per Unit	-
Single Family Attached Property	951-1,100	28	\$1,019 per Unit	\$1,019 per Unit	\$ 28,532
Single Family Attached Property	1,101-1,300	0	\$1,136 per Unit	\$1,136 per Unit	-
Single Family Attached Property	1,301-1,500	14	\$1,300 per Unit	\$1,300 per Unit	\$ 18,200
Single Family Attached Property	1,501-1,700	28	\$1,595 per Unit	\$1,595 per Unit	\$ 44,660
Single Family Attached Property	1,701-1,900	28	\$1,691 per Unit	\$1,691 per Unit	\$ 47,348
Single Family Attached Property	>1,900	0	\$1,886 per Unit	\$1,886 per Unit	-
Annual Tax Amount					\$443,278

PROPOSED BOUNDARIES OF CITY OF ONTARIO COMMUNITY FACILITIES DISTRICT NO. 30 (NEW HAVEN FACILITIES - AREA B) COUNTY OF SAN BERNARDINO STATE OF CALIFORNIA

Filed in the office of the City Clerk of the City of Ontario this 17th day of May, 2016

City Clerk of the City of Ontario

I hereby certify that the within map showing the proposed boundaries of City of Ontario Community Facilities District No. 30 (New Haven Facilities - Area B), County of San Bernardino, State of California, was approved by the City Council of the City of Ontario at a regular meeting thereof, held on the 17th day of May, 2016, by its Resolution No. 2016-034

City Clerk of the City of Ontario

San Bernardino County Recorder's Certificate

Filed this 20 day of May, 2016 at the hour of 9:52 AM o'clock AM, in Book 57 of Maps of Assessment and Community Facilities Districts at Page 17, and under document number 20160197676 in the Office of the County Recorder in the County of San Bernardino, State of California, at the request of the City of Ontario, in the amount of \$ 10.00

Bob Dutton Assessor-Recorder County of San Bernardino

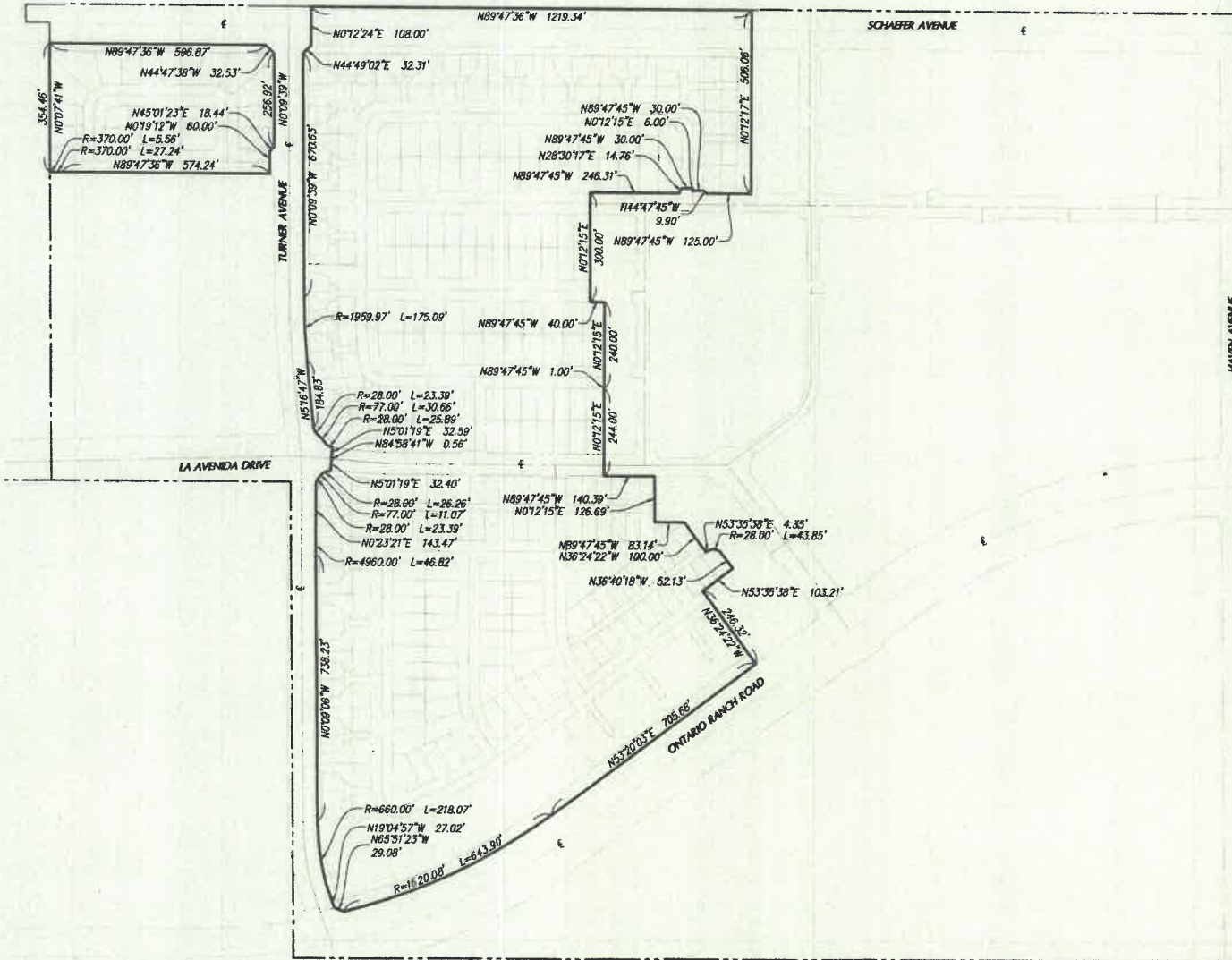
By: Deputy Recorder

City of Ontario Community Facilities District No. 30 (New Haven Facilities - Area B) includes:

- APNs: 0218-472-01 THROUGH -74 0218-473-01 THROUGH -30 0218-482-01 THROUGH -55 0218-483-01 THROUGH -48 0218-492-01 THROUGH -23 0218-502-01 THROUGH -80 0218-503-01 THROUGH -44 0218-513-01 THROUGH -22 0218-513-24 THROUGH -26 0218-513-28 THROUGH -31

LEGEND

- PROPOSED BOUNDARIES OF CITY OF ONTARIO COMMUNITY FACILITIES DISTRICT NO. 30 (NEW HAVEN FACILITIES - AREA B) RIGHT-OF-WAY STREET CENTERLINE



CITY OF ONTARIO

Agenda Report
June 20, 2017

SECTION:
CONSENT CALENDAR

SUBJECT: A RESOLUTION ESTABLISHING THE ANNUAL SPECIAL TAX WITHIN COMMUNITY FACILITIES DISTRICT NO. 31 (CARRIAGE HOUSE / AMBERLY LANE) FOR FISCAL YEAR 2017-18

RECOMMENDATION: That the City Council adopt a resolution establishing the annual special tax within City of Ontario Community Facilities District No. 31 (Carriage House / Amberly Lane) for Fiscal Year 2017-18.

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

FISCAL IMPACT: As proposed, for Fiscal Year 2017-18, special tax revenue to acquire public improvements and pay related district expenses will be generated in the amount of \$425,938; and to fund City services, special tax revenue will be generated in the amount of \$188,720.

BACKGROUND: On April 21, 2015, the City Council, in accordance with the Mello-Roos Act, took the initial steps in the formation of Community Facilities District No. 31 ("District") with the adoption of Resolution No. 2015-028, declaring the City's intention to establish the District and to authorize the levy of special taxes. On June 2, 2015, the City Council adopted Resolution No. 2015-057 establishing the formation of the District. The District, as shown on the boundary map, addresses the residential development of approximately 30.9 gross acres located East of Turner Avenue, generally west of Haven Avenue, generally south of Chino Avenue and north of Schaefer Avenue. At build out, the development is projected to include 143 single-family units.

The adoption of a resolution by the City Council is required annually to establish the special tax rates to be levied. The Fiscal Year 2015-16 was the first year that the special tax was levied. Pursuant to the Rate and Method of Apportionment of Special Tax that was approved by the property owners, "...beginning on January 1, 2015, and annually thereafter, the maximum annual services special tax rate shall be increased at a rate equal to 4.0% of the amount in effect for the prior Fiscal Year." There will

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. 06/20/2017

Approved: _____

Continued to: _____

Denied: _____

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be no annual increase to the facilities special tax rates. The assigned, maximum, and proposed annual tax rates for Fiscal Year 2017-18, which, as proposed, are being assessed on developed and final mapped property, are as follows:

FY 2017-18 Annual Facilities Tax Rates

Land Use	Residential Floor Area (Sq. Ft.)	No. of Units/ Acres	FY 2017-18 Assigned Facilities Tax Rates	FY 2017-18 Maximum Facilities Tax Rates	FY 2017-18 Proposed Facilities Tax Rates	Total
Developed Property:						
Single Family Detached	<2,101	25	\$2,282.00 per Unit	\$2,979.00 per Unit	\$2,282.00 per Unit	\$57,050.00
Single Family Detached	2,101-2,400	-	\$2,424.00 per Unit	\$2,979.00 per Unit	\$2,424.00 per Unit	-
Single Family Detached	2,401-2,700	33	\$2,849.00 per Unit	\$2,979.00 per Unit	\$2,849.00 per Unit	\$94,017.00
Single Family Detached	2,701-3,000	-	\$2,960.00 per Unit	\$2,979.00 per Unit	\$2,960.00 per Unit	-
Single Family Detached	3,001-3,300	40	\$3,116.00 per Unit	\$3,116.00 per Unit	\$3,116.00 per Unit	\$124,640.00
Single Family Detached	3,301-3,600	5	\$3,285.00 per Unit	\$3,285.00 per Unit	\$3,285.00 per Unit	\$16,425.00
Single Family Detached	>3,600	18	\$3,670.00 per Unit	\$3,670.00 per Unit	\$3,670.00 per Unit	\$66,060.00
Final Mapped Property						
		3.27	N/A	\$25,379.00 per Acre	\$20,734.20 per Acre	\$67,746.00
Annual Tax Amount						\$425,938.00

FY 2017-18 Annual Services Tax Rates

Land Use	No. of Units	FY 2017-18 Maximum Tax Rates	FY 2017-18 Proposed Annual Tax Rates	Total
Developed Property				
Single Family Detached	121	\$1,559.67 per Unit	\$1,559.67 per Unit	\$188,720.07
Multiple Family	-	\$1,352.00 per Unit	\$1,352.00 per Unit	-
Gated Apartment Community	-	\$1,133.52 per Unit	\$1,133.52 per Unit	-
Non-Residential Property				
	-	\$0.29 per Sq. Ft.	\$0.29 per Sq. Ft.	-
Annual Tax Amount				\$188,720.07

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, ACTING IN ITS CAPACITY AS THE LEGISLATIVE BODY OF CITY OF ONTARIO COMMUNITY FACILITIES DISTRICT NO. 31 (CARRIAGE HOUSE / AMBERLY LANE), ESTABLISHING THE ANNUAL SPECIAL TAX FOR FISCAL YEAR 2017-18.

WHEREAS, the City Council of the City of Ontario, California, has initiated proceedings, held a public hearing, conducted an election and received a favorable vote from the qualified electors relating to the levy of a special tax in a community facilities district, all as authorized pursuant to the terms and provisions of the "Mello-Roos Community Facilities Act of 1982" (the "Act"), being Chapter 2.5, Part 1, Division 2, Title 5, of the Government Code of the State of California. This Community Facilities District is designated as City of Ontario Community Facilities District No. 31 (Carriage House / Amberly Lane) (hereinafter referred to as "District"); and

WHEREAS, the City Council did, acting as the legislative body of the District, by the enactment of Ordinance No. 3020 (the "Special Tax Ordinance") as authorized by Section 53340 of the Government Code of the State of California, authorize the levy of a special tax to pay for costs and expenses related to the District, and this legislative body is desirous to establish the specific rates of the special tax to be collected for the specified Fiscal Year.

NOW, THEREFORE, IT IS HEREBY RESOLVED AS FOLLOWS:

SECTION 1. The above recitals are all true and correct.

SECTION 2. That the specific rates and amount of the special tax to be collected to pay for the costs and expenses (as defined in Section 5 below) for the referenced Fiscal Year for the District is hereby determined and established as set forth in the attached referenced and incorporated Exhibit "A."

SECTION 3. That the rates as set forth above does not exceed the amount as previously authorized by the Special Tax Ordinance of this legislative body, and is not in excess of that as previously approved by the qualified electors of the District.

SECTION 4. The City Manager is authorized and directed to file a certified copy of this Resolution, together with a list of all parcels subject to the special tax for the above specified Fiscal Year and the amount of the special tax to be levied against each such parcel, with the County Auditor/Tax Collector of the County of San Bernardino on or before August 10; provided, however, that such may be filed after August 10, but not later than August 21, if the City Manager obtains the prior written consent of such County Auditor/Tax Collector.

SECTION 5. That the proceeds of the special tax shall be used only to pay the following costs and expenses:

- (a) Costs of providing facilities and services authorized to be financed by the District;
- (b) Costs incurred by the District and the City in the annual levy and collection of the special taxes;
- (c) Administrative costs of the District; and
- (d) Any incidental expenses authorized to be financed by the District.

SECTION 6. 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 same procedure and sale in cases of any delinquency for ad valorem taxes, and the County Auditor/Tax Collector is hereby authorized to deduct reasonable administrative costs incurred in collecting any said special tax.

SECTION 7. All monies above collected shall be paid into the Community Facilities District No. 31 Fund.

SECTION 8. The County Auditor/Tax Collector is hereby directed to enter in the next County assessment roll on which taxes will become due, opposite each lot or parcel of land affected in a space marked "CFD No. 31 Special Tax," or by any other suitable designation, the installment of the special tax.

SECTION 9. The County Auditor/Tax Collector shall then, at the close of the tax collection period, promptly render to the District a detailed report showing the amount and/or amounts of such special tax installments, interests, penalties, and percentages so collected and from what property collected, and also provide a statement of any percentages retained for the expense of making any such collection.

SECTION 10. This legislative body hereby certifies that the levy of the special tax was authorized in accordance with the provisions of the Act, and complies with the requirements of Articles XIII A and XIII C of the Constitution of the State of California.

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

PASSED, APPROVED, AND ADOPTED this 20th day of June 2017.

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. 2017- was duly passed and adopted by the City Council of the City of Ontario at their regular meeting held June 20, 2017 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. 2017- duly passed and adopted by the Ontario City Council at their regular meeting held June 20, 2017.

SHEILA MAUTZ, CITY CLERK

(SEAL)

EXHIBIT "A"

**CITY OF ONTARIO
COMMUNITY FACILITIES DISTRICT NO. 31
(CARRIAGE HOUSE / AMBERLY LANE)**

**SPECIAL TAX RATES
FOR FISCAL YEAR 2017-18**

ANNUAL FACILITIES TAX RATES

Land Use	Residential Floor Area (Sq. Ft.)	No. of Units	FY 2017-18 Assigned Facilities Tax Rates	FY 2017-18 Maximum Facilities Tax Rates	FY 2017-18 Proposed Facilities Tax Rates
Single Family Detached	<2,101	25	\$2,282.00 per Unit	\$2,979.00 per Unit	\$2,282.00 per Unit
Single Family Detached	2,101-2,400	-	\$2,424.00 per Unit	\$2,979.00 per Unit	\$2,424.00 per Unit
Single Family Detached	2,401-2,700	33	\$2,849.00 per Unit	\$2,979.00 per Unit	\$2,849.00 per Unit
Single Family Detached	2,701-3,000	-	\$2,960.00 per Unit	\$2,979.00 per Unit	\$2,960.00 per Unit
Single Family Detached	3,001-3,300	40	\$3,116.00 per Unit	\$3,116.00 per Unit	\$3,116.00 per Unit
Single Family Detached	3,301-3,600	5	\$3,285.00 per Unit	\$3,285.00 per Unit	\$3,285.00 per Unit
Single Family Detached	>3,600	18	\$3,670.00 per Unit	\$3,670.00 per Unit	\$3,670.00 per Unit
Final Mapped Property		3.27	N/A	\$25,379.00 per Acre	\$20,734.20 per Acre

ANNUAL SERVICES TAX RATES

Land Use	FY 2017-18 Maximum Tax Rates	FY 2017-18 Proposed Annual Tax Rates	Total
Developed Property:			
Single Family Detached	\$1,559.67 per Unit	\$1,559.67 per Unit	\$188,720.07
Multiple Family	\$1,352.00 per Unit	\$1,352.00 per Unit	\$0.00
Gated Apartment Community	\$1,133.52 per Unit	\$1,133.52 per Unit	\$0.00
Non-Residential Property			
	\$0.29 per Sq. Ft.	\$0.29 per Sq. Ft.	\$0.00

PROPOSED BOUNDARIES OF CITY OF ONTARIO COMMUNITY FACILITIES DISTRICT No. 31

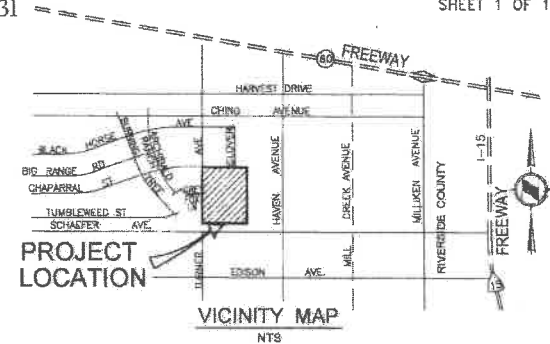
SHEET 1 OF 1

(CARRIAGE HOUSE / AMBERLY LANE)

COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA



CITY OF ONTARIO COMMUNITY FACILITIES DISTRICT
No. 31 (CARRIAGE HOUSE / AMBERLY LANE) includes:
A.P.N. 0218-372-01 thru A.P.N. 0218-372-75,
A.P.N. 0218-372-78 thru A.P.N. 0218-372-81,
A.P.N. 0218-382-01 thru A.P.N. 0218-382-71,
A.P.N. 0218-382-73 & A.P.N. 0218-382-74



PROJECT LOCATION

VICINITY MAP
NTS

LEGEND

	PROPOSED BOUNDARIES OF CITY OF ONTARIO COMMUNITIES FACILITIES DISTRICT No. 31 (CARRIAGE HOUSE/AMBERLY LANE)
	RIGHT-OF-WAY
	STREET CENTERLINE
	CURB

Filed in the office of the City Clerk of the City of Ontario this 14th day of April, 2015.

D. J. Yand
Asst. City Clerk of the City of Ontario

CITY OF ONTARIO CLERK'S CERTIFICATE

I hereby certify that the within map showing the proposed boundaries of City of Ontario Community Facilities District No. 31 (Carriage House/Amberly Lane), County of San Bernardino, State of California, was approved by the City Council of the City of Ontario at a regular meeting thereof, held on the 21st day of April, 2015, by its Resolution No. 2015-023.

D. J. Yand
Asst. City Clerk of the City of Ontario



SAN BERNARDINO COUNTY RECORDER'S CERTIFICATE

Filed this 20th day of April, 2015, at the hour of 9:14 o'clock A.M. in Book 96 of Maps of Assessment and Community Facilities Districts at Page 50, and under Document Number 2015-070645 in the Office of the County Recorder in the County of San Bernardino, State of California, at the request of the City of Ontario, in the amount of \$12.00.

Dennis Draeger
Assessor-Recorder-Clerk,
County of San Bernardino
by *Wanda Lurie-Padd*
Deputy Recorder

Recorded in Official Records,
County of San Bernardino
Date: 2015-070645
4/20/2015 9:14 AM

CITY OF ONTARIO

Agenda Report
June 20, 2017

SECTION:
CONSENT CALENDAR

SUBJECT: A RESOLUTION ESTABLISHING THE ANNUAL SPECIAL TAX WITHIN COMMUNITY FACILITIES DISTRICT NO. 34 (COUNTRYSIDE PHASE 1 NORTH - FACILITIES) FOR FISCAL YEAR 2017-18

RECOMMENDATION: That the City Council adopt a resolution establishing the annual special tax within City of Ontario Community Facilities District No. 34 (Countryside Phase 1 North - Facilities) for Fiscal Year 2017-18.

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

FISCAL IMPACT: As proposed, for Fiscal Year 2017-18, special tax revenue to acquire public improvements and pay related district expenses will be generated in the amount of \$199,127. The use of Mello-Roos financing for facilities in the residential development of the Countryside Phase 1 North project is estimated to generate approximately \$7.5 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: On October 20, 2015, the City Council, in accordance with the Mello-Roos Act, took the initial steps in the formation of Community Facilities District No. 34 ("District") with the adoption of Resolution No. 2015-109, 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, forming the District. Upon a successful property owner election, the City Council adopted Ordinance No. 3036 in December 2015, authorizing the levy of special taxes for the District to finance public improvements related to the Countryside Phase 1 North project.

The District, as shown on the boundary map, addresses the development of approximately 50 gross acres located generally east of the Cucamonga Creek Channel, generally west of Archibald Avenue, south of

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. 06/20/2017

Approved: _____

Continued to: _____

Denied: _____

20

Riverside Avenue and north of Chino Avenue. At build-out, the residential development will include 226 detached units.

As adopted, the special tax for public improvements is to be levied each fiscal year. The public improvements authorized to be financed, in whole or in part, by City of Ontario Community Facilities District No. 34 (Countryside Phase 1 North) are as follows: 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 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 such facilities.

The adoption of a resolution by the City Council is required annually to establish the special tax rates to be levied, and Fiscal Year 2017-18 will be the first year that the special tax will be levied. The maximum and proposed annual tax rates for Fiscal Year 2017-18, which are being assessed on all developed property, are as follows:

FY2017-18 Annual Facilities Tax Rates

Land Use	Residential Floor Area (Sq. Ft.)	No. of Units/ Acres	FY 2017-18 Maximum Annual Tax Rates	FY 2017-18 Proposed Annual Tax Rates	Total
Single-Family Property	<1,701	0	\$1,800 per Unit	\$1,800 per Unit	-
Single-Family Property	1,701-1,900	5	\$1,887 per Unit	\$1,887 per Unit	\$ 9,435
Single Family Property	1,901-2,100	1	\$2,224 per Unit	\$2,224 per Unit	\$ 2,224
Single Family Property	2,101-2,300	10	\$2,236 per Unit	\$2,236 per Unit	\$22,360
Single Family Property	2,301-2,500	20	\$2,488 per Unit	\$2,488 per Unit	\$49,760
Single Family Property	2,501-2,700	24	\$2,752 per Unit	\$2,752 per Unit	\$66,048
Single Family Property	2,701-2,900	9	\$2,796 per Unit	\$2,796 per Unit	\$25,164
Single Family Property	2,901-3,100	8	\$3,017 per Unit	\$3,017 per Unit	\$24,136
Single Family Property	3,101-3,300	0	\$3,118 per Unit	\$3,118 per Unit	-
Single Family Property	3,301-3,500	0	\$3,368 per Unit	\$3,368 per Unit	-
Single Family Property	3,501-3,700	0	\$3,467 per Unit	\$3,467 per Unit	-
Single Family Property	3,701-3,900	0	\$3,650 per Unit	\$3,650 per Unit	-
Single Family Property	>3,900	0	\$3,824 per Unit	\$3,824 per Unit	-
Annual Tax Amount					\$199,127

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, ACTING IN ITS CAPACITY AS THE LEGISLATIVE BODY OF CITY OF ONTARIO COMMUNITY FACILITIES DISTRICT NO. 34 (COUNTRYSIDE PHASE 1 NORTH - FACILITIES), ESTABLISHING THE ANNUAL SPECIAL TAX FOR FISCAL YEAR 2017-18.

WHEREAS, the City Council of the City of Ontario, California, has initiated proceedings, held a public hearing, conducted an election and received a favorable vote from the qualified electors relating to the levy of a special tax in a community facilities district, all as authorized pursuant to the terms and provisions of the "Mello-Roos Community Facilities Act of 1982" (the "Act"), being Chapter 2.5, Part 1, Division 2, Title 5, of the Government Code of the State of California. This Community Facilities District is designated as City of Ontario Community Facilities District No. 34 (COUNTRYSIDE PHASE 1 NORTH - FACILITIES) (hereinafter referred to as "District"); and

WHEREAS, the City Council did, acting as the legislative body of the District, by the enactment of Ordinance No. 3036 (the "Special Tax Ordinance") as authorized by Section 53340 of the Government Code of the State of California, authorize the levy of a special tax to pay for costs and expenses related to the District, and this legislative body is desirous to establish the specific rates of the special tax to be collected for the specified Fiscal Year.

NOW, THEREFORE, IT IS HEREBY RESOLVED AS FOLLOWS:

SECTION 1. The above recitals are all true and correct.

SECTION 2. That the specific rates and amount of the special tax to be collected to pay for the costs and expenses (as defined in Section 5 below) for the referenced Fiscal Year for the District is hereby determined and established as set forth in the attached referenced and incorporated Exhibit "A."

SECTION 3. That the rates as set forth above do not exceed the amount as previously authorized by the Special Tax Ordinance of this legislative body, and is not in excess of that as previously approved by the qualified electors of the District.

SECTION 4. The City Manager is authorized and directed to file a certified copy of this Resolution, together with a list of all parcels subject to the special tax for the above specified Fiscal Year and the amount of the special tax to be levied against each such parcel, with the County Auditor/Tax Collector of the County of San Bernardino on or before August 10; provided, however, that such may be filed after August 10, but not later than August 21, if the City Manager obtains the prior written consent of such County Auditor/Tax Collector.

SECTION 5. That the proceeds of the special tax shall be used only to pay the following costs and expenses:

- (a) Costs of providing facilities and services authorized to be financed by the District;
- (b) Costs incurred by the District and the City in the annual levy and collection of the special taxes;
- (c) Administrative costs of the District; and
- (d) Any incidental expenses authorized to be financed by the District.

SECTION 6. 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 same procedure and sale in cases of any delinquency for ad valorem taxes, and the County Auditor/Tax Collector is hereby authorized to deduct reasonable administrative costs incurred in collecting any said special tax.

SECTION 7. All monies above collected shall be paid into the Community Facilities District No. 34 Fund.

SECTION 8. The County Auditor/Tax Collector is hereby directed to enter in the next County assessment roll on which taxes will become due, opposite each lot or parcel of land affected in a space marked "CFD No. 34 Special Tax," or by any other suitable designation, the installment of the special tax.

SECTION 9. The County Auditor/Tax Collector shall then, at the close of the tax collection period, promptly render to the District a detailed report showing the amount and/or amounts of such special tax installments, interests, penalties, and percentages so collected and from what property collected, and also provide a statement of any percentages retained for the expense of making any such collection.

SECTION 10. This legislative body hereby certifies that the levy of the special tax was authorized in accordance with the provisions of the Act, and complies with the requirements of Articles XIII A and XIII C of the Constitution of the State of California.

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

PASSED, APPROVED, AND ADOPTED this 20th day of June 2017.

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. 2017- was duly passed and adopted by the City Council of the City of Ontario at their regular meeting held June 20, 2017 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. 2017- duly passed and adopted by the Ontario City Council at their regular meeting held June 20, 2017.

SHEILA MAUTZ, CITY CLERK

(SEAL)

EXHIBIT "A"

**CITY OF ONTARIO
COMMUNITY FACILITIES DISTRICT NO. 34
(COUNTRYSIDE PHASE 1 NORTH - FACILITIES)**

**SPECIAL TAX RATES
FOR FISCAL YEAR 2017-18**

ANNUAL FACILITIES TAX RATES

FY2017-18 Annual Facilities Tax Rates

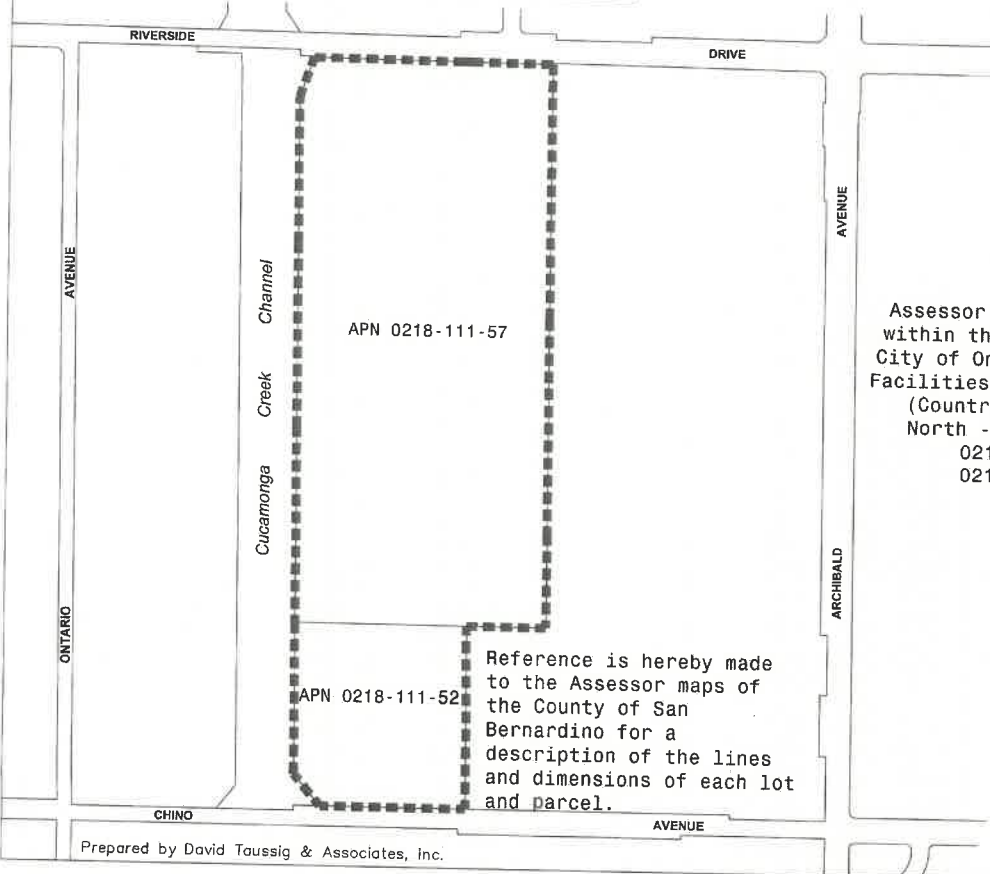
Land Use	Residential Floor Area (Sq. Ft.)	No. of Units/Acres	FY 2017-18 Maximum Tax Rates	FY 2017-18 Proposed Annual Tax Rates
Single-Family Property	<1,701	0	\$1,800 per Unit	\$1,800 per Unit
Single-Family Property	1,701-1,900	5	\$1,887 per Unit	\$1,887 per Unit
Single Family Property	1,901-2,100	1	\$2,224 per Unit	\$2,224 per Unit
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Single Family Property	2,701-2,900	9	\$2,796 per Unit	\$2,796 per Unit
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Single Family Property	3,101-3,300	0	\$3,118 per Unit	\$3,118 per Unit
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Single Family Property	3,501-3,700	0	\$3,467 per Unit	\$3,467 per Unit
Single Family Property	3,701-3,900	0	\$3,650 per Unit	\$3,650 per Unit
Single Family Property	>3,900	0	\$3,824 per Unit	\$3,824 per Unit

Annual Tax Amount

PROPOSED BOUNDARIES OF
CITY OF ONTARIO
COMMUNITY FACILITIES DISTRICT NO. 34
(COUNTRYSIDE PHASE 1 NORTH - FACILITIES)
COUNTY OF SAN BERNARDINO
STATE OF CALIFORNIA

LEGEND

Proposed Boundaries of City of Ontario
Community Facilities District No. 34
(Countryside Phase 1 North - Facilities),
San Bernardino County, California
Assessor Parcel Line



Assessor Parcel Numbers
within the Boundaries of
City of Ontario Community
Facilities District No. 34
(Countryside Phase 1
North - Facilities):
0218-111-52
0218-111-57

Reference is hereby made
to the Assessor maps of
the County of San
Bernardino for a
description of the lines
and dimensions of each lot
and parcel.

(1) Filed in the office of the Clerk of the City of Ontario this 20th day of October, 2015.

S. E. Wirtes, Asst. City Clerk

for:
Mary E. Wirtes, Clerk of the City of Ontario,
California

(2) I hereby certify that the within map showing the proposed boundaries of City of Ontario Community Facilities District No. 34 (Countryside Phase 1 North - Facilities), County of San Bernardino, State of California, was approved by the City Council of the City of Ontario at a regular meeting thereof, held on the 20th day of October, 2015, by its Resolution No. 2015-109.

S. E. Wirtes, Asst. City Clerk

for:
Mary E. Wirtes, Clerk of the City of Ontario,
California



(3) San Bernardino County Recorder's Certificate

This map has been filed under Document Number 2015-0464909, this 27th day of OCTOBER, 2015, at 3:26 P.M., in Book 87 of Maps of Assessment and Community Facilities Districts at page 1, in the office of the county recorder in the County of San Bernardino, State of California, at the request of the City of Ontario in the amount of \$10.00.

Bob Dutton
Assessor-Recorder
County of San Bernardino

By: Nicole Suria-Ross
Deputy Recorder

Recorded in Official Records
County of San Bernardino
Book: 2015-0464909
10/27/2015 3:26 PM

CITY OF ONTARIO

Agenda Report
June 20, 2017

SECTION:
CONSENT CALENDAR

SUBJECT: ANNUAL LEVY OF ASSESSMENTS WITHIN ONTARIO PARKWAY MAINTENANCE ASSESSMENT DISTRICT NOS. 1, 2, 3 AND 4 FOR FISCAL YEAR 2017-18

RECOMMENDATION: That the City Council adopt resolutions pertaining to the levy of assessments within Ontario Parkway Maintenance Assessment District (OPMAD) Nos. 1, 2, 3 and 4:

- (A) A resolution initiating proceedings and ordering the preparation of an Engineer's Report for each district relating to the annual levy of assessments; and
- (B) A resolution giving preliminary approval of the Engineer's Report; and
- (C) A resolution for District Nos. 1, 2 and 3, and a resolution for District No. 4, declaring the City's intention to levy the special assessments for Fiscal Year 2017-18 and setting the date of July 18, 2017 for a Public Hearing on each district in accordance with the Landscaping and Lighting Act of 1972.

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

FISCAL IMPACT: As proposed, special assessment revenue will be generated in the amount of \$284,542 from OPMAD Nos. 1, 2 and 3, and \$314,142 from OPMAD No. 4 during Fiscal Year 2017-18. The total cost of \$662,519 for operation and maintenance within OPMAD Nos. 1, 2 and 3 will exceed the assessment revenues by \$377,977. The differential will be funded from the General Fund. If approved, the General Fund portion will be included in the City's proposed budget for Fiscal Year 2017-18. The total proposed special assessment for OPMAD No. 4 is sufficient to pay all expenses within this service area. The special assessments for OPMAD Nos. 1, 2, and 3, Zone 2000-1, are capped, so there are no proposed changes from the FY 2016-17 special assessments. The recommended special assessment rate for OPMAD No. 3, Zone 2000-2, includes an increase of 2.1%

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. 06/20/2017

Approved: _____

Continued to: _____

Denied: _____

21

from the FY 2016-17 rate. As proposed, the average increase in the recommended special assessment rates for the 6 maintenance areas in OPMAD No. 4 is 2.1%.

BACKGROUND: The first of these districts was formed in 1976 pursuant to the Landscaping and Lighting Act of 1972 (the “1972 Act”). Additional territories are annexed to the districts from time to time as development proceeds. The districts were formed to help minimize the continually increasing cost of maintaining and operating the landscaping along public streets where the property owners do not have direct access to the landscaping. A special assessment is levied annually on benefiting properties for the cost of operation and maintenance of certain parkway landscaping facilities within the districts. The City’s Community & Public Services Agency establishes the annual operation and maintenance costs and administers the maintenance of the landscaping. Annually, an Engineer’s Report for each district must be prepared which apportions these costs to each parcel within the districts. The locations of the districts are shown on the attached maps.

OPMAD Nos. 1, 2, and 3 are comprised of single-family residential developments. Due to varying characteristics, the districts are organized into benefit zones and/or maintenance areas. Each zone/maintenance area is assessed for only the operation and maintenance of the facilities from which it receives special direct benefit. The total assessment for each maintenance area is then apportioned to its constituent parcels.

Special assessment revenue will be generated in the combined amount of \$284,542 from OPMAD Nos. 1, 2 and 3. The maximum and proposed Fiscal Year 2017-18 special assessment rates for OPMAD Nos. 1, 2 and 3, along with last year’s special assessment rates, are as follows:

	Prior Year 2016-17	Proposed 2017-18	Maximum 2017-18
OPMAD No. 1	\$ 66.32 per lot	\$ 66.32	\$ 66.32
OPMAD No. 2	\$ 34.04 per lot	\$ 34.04	\$ 34.04
OPMAD No. 3, Zone 2000-1	\$ 41.29 per lot	\$ 41.29	\$ 41.29
OPMAD No. 3, Zone 2000-2	\$ 173.24 per lot	\$ 176.88	\$ 218.82

OPMAD No. 4 is comprised of single-family residential tracts and the Ontario Mills development area. The district is organized into 6 Maintenance Areas (MAs). Each maintenance area is assessed for only the operation and maintenance of the facilities from which it receives direct special benefit. The total assessment for each maintenance area is then apportioned to its constituent parcels.

The assessments for OPMAD No. 4 will generate a total of \$314,142. OPMAD No. 4 will generate sufficient revenue to pay all expenses within the service area. The maximum and proposed Fiscal Year 2017-18 special assessment rates for OPMAD No. 4 along with last year’s special assessment rates are as follows:

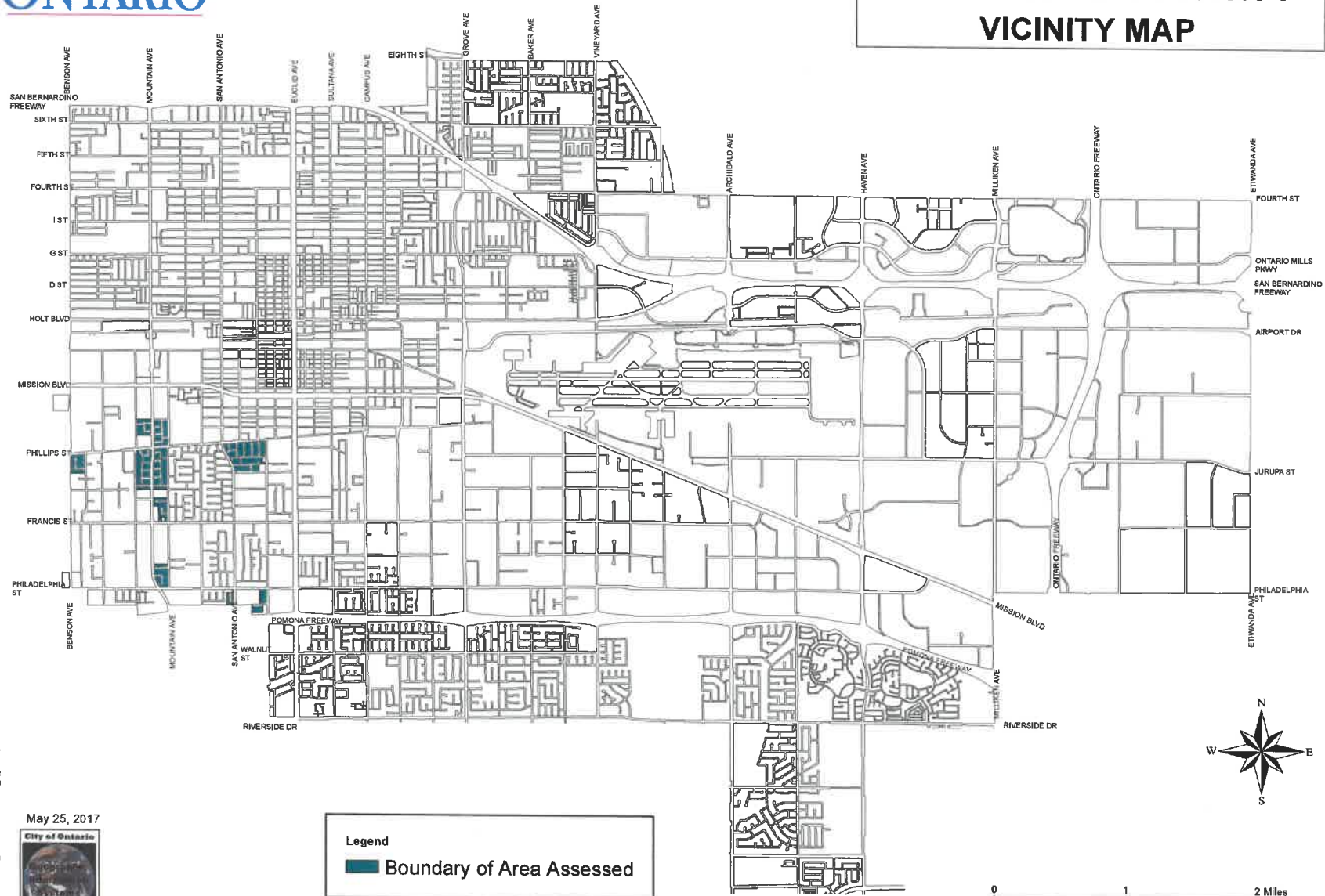
	Prior Year 2016-17	Proposed 2017-18	Maximum 2017-18
MA# 99-1	\$ 51.70 per lot	\$ 52.79	\$ 53.25
MA# 99-2	\$ 327.23 per lot	\$ 334.08	\$ 335.86
MA# 99-3	\$ 1,016.70 per acre	\$ 1,038.03	\$ 1,205.99
MA# 00-1	\$ 246.28 per lot	\$ 251.38	\$ 330.77
MA# 04-1	\$ 990.48 per lot	\$ 1,011.35	\$ 2,106.97
MA# 05-1	\$ 1,360.86 per lot	\$ 1,389.07	\$ 2,611.69

Pursuant to the “1972 Act,” Engineer’s Reports have been prepared for each district, and are on file with the Records Management Department. Each report includes plans and specifications for the improvements and maintenance, an estimate of costs, a diagram of the area proposed to be assessed, and an assessment of the costs to the various parcels within each district.

A public hearing is required for each district prior to adoption of the proposed assessments. A combined public hearing will be held on July 18, 2017 for the purpose of accepting comments and written protests. At the conclusion of the public hearing, the City Council will consider adoption of resolutions confirming the assessments and ordering the levy of the assessments for tax year 2017-18. Notice of the public hearing for the levy of assessments will be published in the local newspaper, in accordance with the applicable statutes.



Ontario Parkway Maintenance Assessment District No. 1 VICINITY MAP



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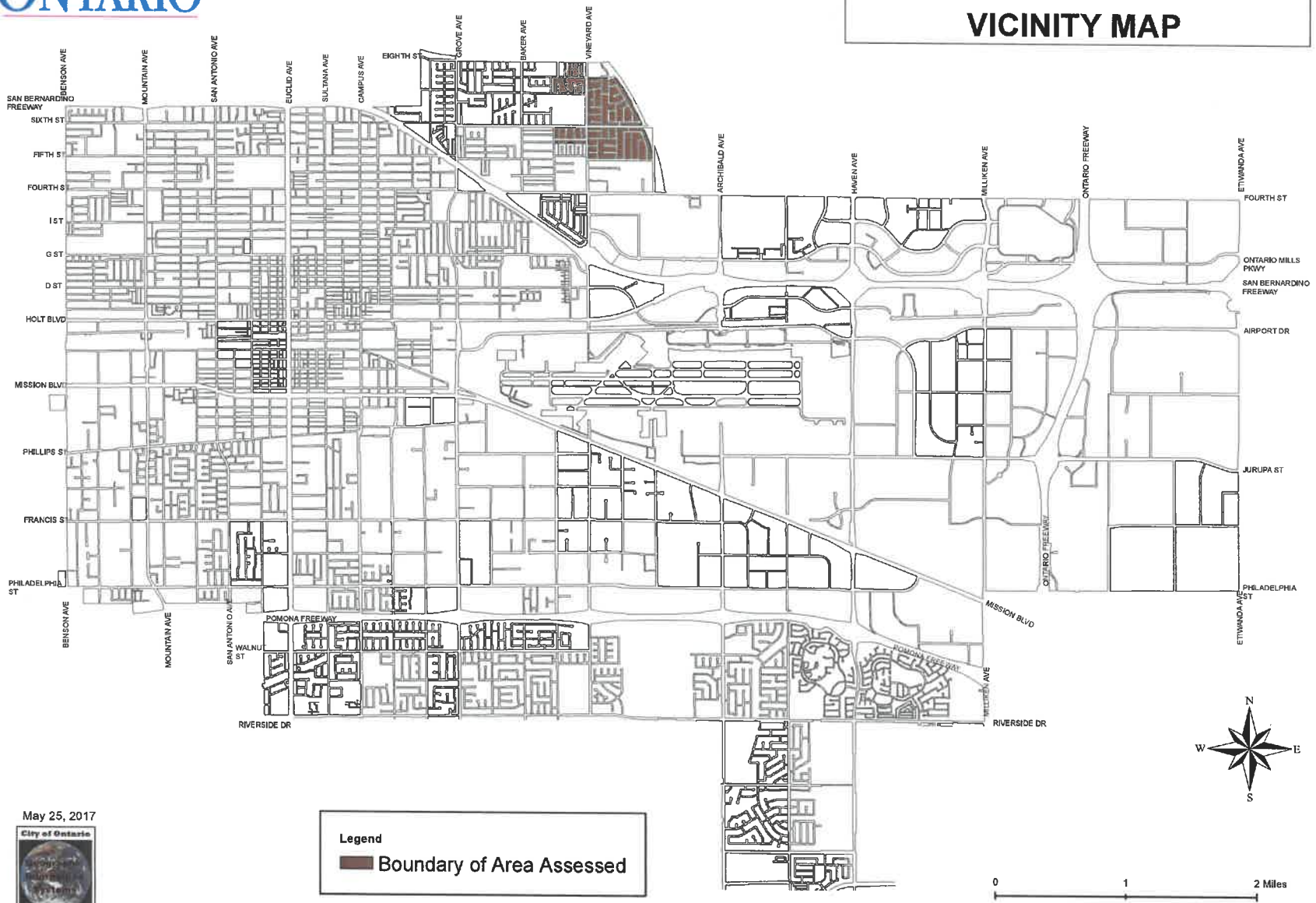
May 25, 2017



Legend
■ Boundary of Area Assessed



Ontario Parkway Maintenance Assessment District No. 2 VICINITY MAP



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May 25, 2017

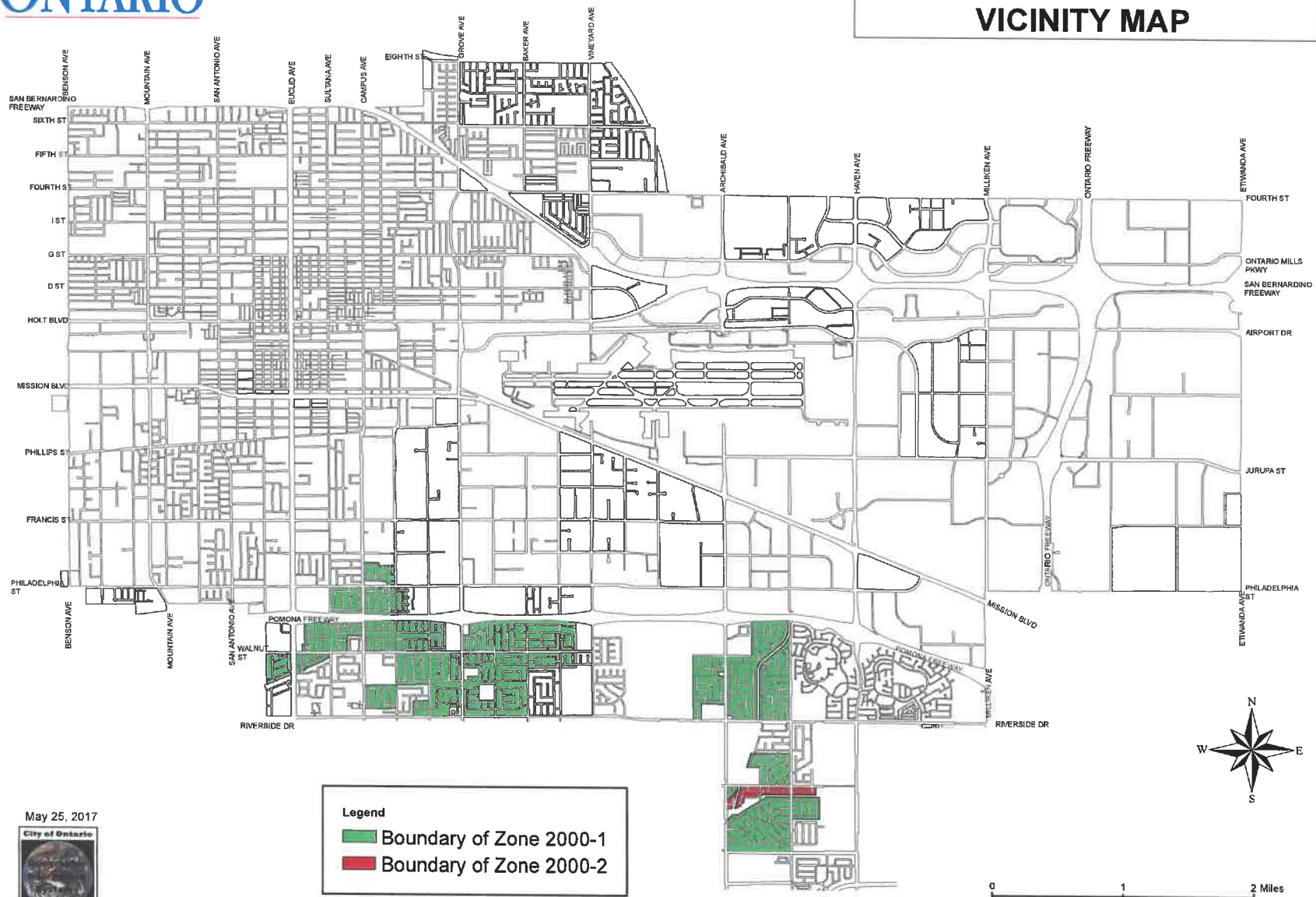


Legend
■ Boundary of Area Assessed

0 1 2 Miles

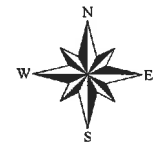


Ontario Parkway Maintenance Assessment District No. 3 VICINITY MAP



Legend

- Boundary of Zone 2000-1
- Boundary of Zone 2000-2



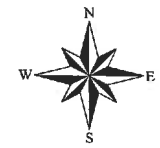
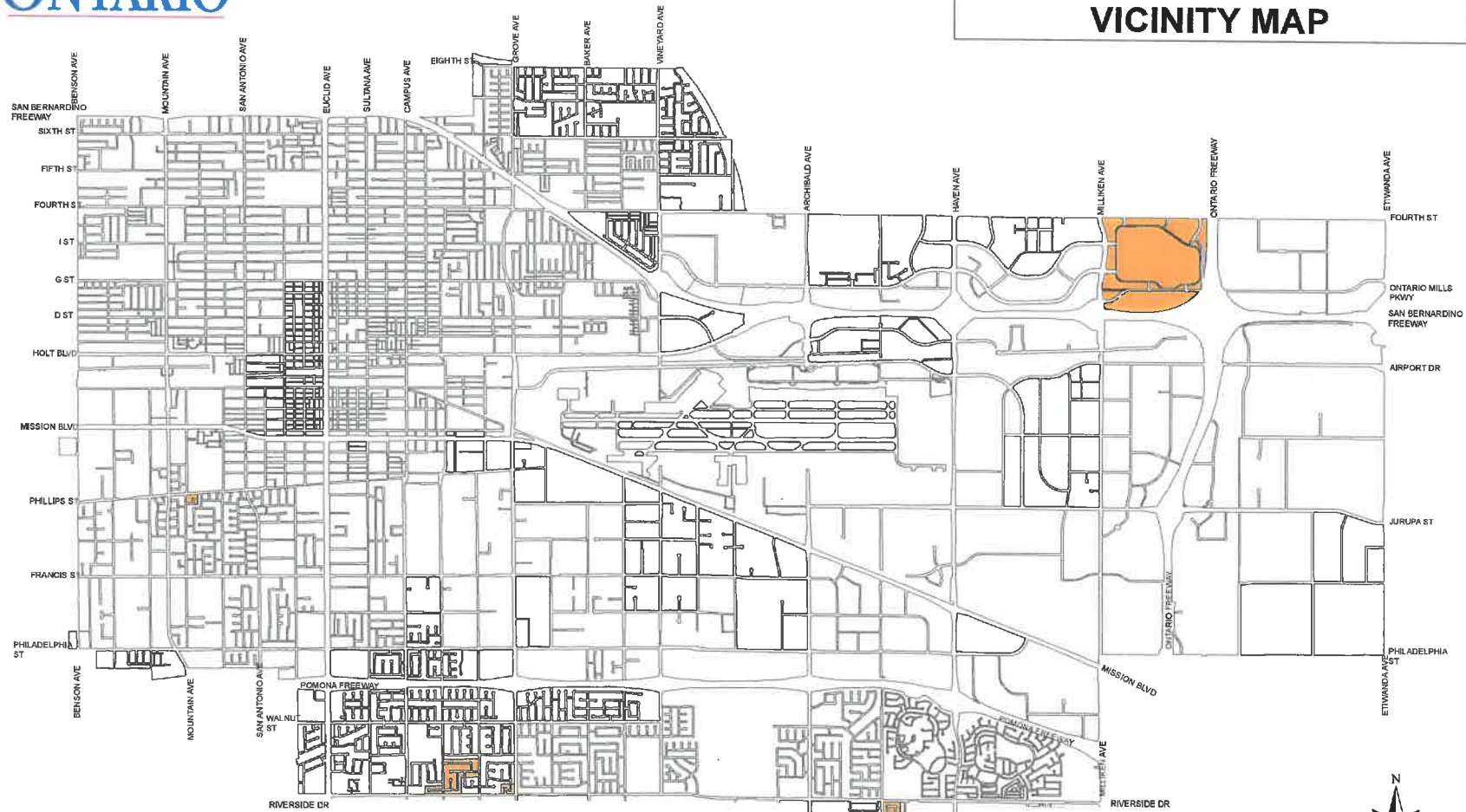
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May 25, 2017





Ontario Parkway Maintenance Assessment District No. 4 VICINITY MAP



Legend
 Boundary of Area Assessed

May 25, 2017



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RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, ORDERING THE PREPARATION OF THE ASSESSMENT ENGINEER'S REPORTS PURSUANT TO THE PROVISIONS OF DIVISION 15, PART 2, OF THE STREETS AND HIGHWAYS CODE OF THE STATE OF CALIFORNIA, FOR PROCEEDINGS FOR THE ANNUAL ASSESSMENT LEVY WITHIN ONTARIO PARKWAY MAINTENANCE ASSESSMENT DISTRICTS NO. 1, 2, 3 AND 4 FOR FISCAL YEAR 2017-18.

WHEREAS, the City Council of the City of Ontario, California, previously formed maintenance districts pursuant to the terms and provisions of the "Landscaping and Lighting Act of 1972," being Division 15, Part 2, of the Streets and Highways Code of the State of California (the "1972 Act"), known and designated as

CITY OF ONTARIO
PARKWAY MAINTENANCE ASSESSMENT DISTRICTS NO. 1, 2, 3 AND 4

(the "Districts"); and

WHEREAS, at this time the City Council desires to initiate proceedings to provide for the annual levy of assessments for the ensuing fiscal year to provide for the annual costs for maintenance of improvements within the Districts; and

WHEREAS, the proceedings for the annual levy of assessments shall relate to the fiscal year commencing July 1, 2017, and ending June 30, 2018; and

WHEREAS, there has been submitted to this City Council for its consideration at this time, maps showing the boundaries of the area affected by the levy of the assessment for the above-referenced fiscal year, and inventory maps showing and describing in general the works of improvement proposed to be maintained in said Districts, said description being sufficient to identify the works of improvement and the areas proposed to be assessed for said maintenance thereof.

NOW, THEREFORE, IT IS HEREBY RESOLVED as follows:

SECTION 1. That the above recitals are all true and correct.

SECTION 2. That the maps entitled

CITY OF ONTARIO
PARKWAY MAINTENANCE ASSESSMENT DISTRICTS NO. 1, 2, 3 AND 4
BOUNDARY AND INVENTORY MAPS

attached hereto, as submitted to this City Council, showing the boundaries of the proposed areas to be assessed and showing the works of improvement to be maintained, are hereby approved, and a copy thereof shall be on file in the Records

Management Department and open to public inspection. The parcels and properties within said area are those proposed to be assessed to pay the costs and expenses for said maintenance work.

SECTION 3. That the proposed maintenance work within the area proposed to be assessed shall be for certain landscaping and appurtenant improvements, as said maintenance work is set forth in the Reports to be presented to this City Council for consideration.

SECTION 4. That the Assessment Engineer, Harris & Associates, is hereby ordered to prepare and file with this City Council the Assessment Engineer's Reports relating to said annual assessment and levy in accordance with the provisions of 1972 Act, Article XIID of the Constitution of the State of California ("Article XIID"), and the Proposition 218 Omnibus Implementation Act (Government Code Section 53750 and following) (the "Implementation Act") (the 1972 Act, Article XIID and the Implementation Act are referred to collectively as the "Assessment Law").

SECTION 5. That upon completion, said Assessment Engineer's Reports shall be filed with the City Clerk, who shall then submit the same to this City Council for its consideration pursuant to the Assessment Law.

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

PASSED, APPROVED, AND ADOPTED this 20th day of June 2017.

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. 2017- was duly passed and adopted by the City Council of the City of Ontario at their regular meeting held June 20, 2017 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. 2017- duly passed and adopted by the Ontario City Council at their regular meeting held June 20, 2017.

SHEILA MAUTZ, CITY CLERK

(SEAL)



Ontario Parkway Maintenance Assessment District No. 1 Boundary and Inventory Map



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May 25, 2017



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Legend

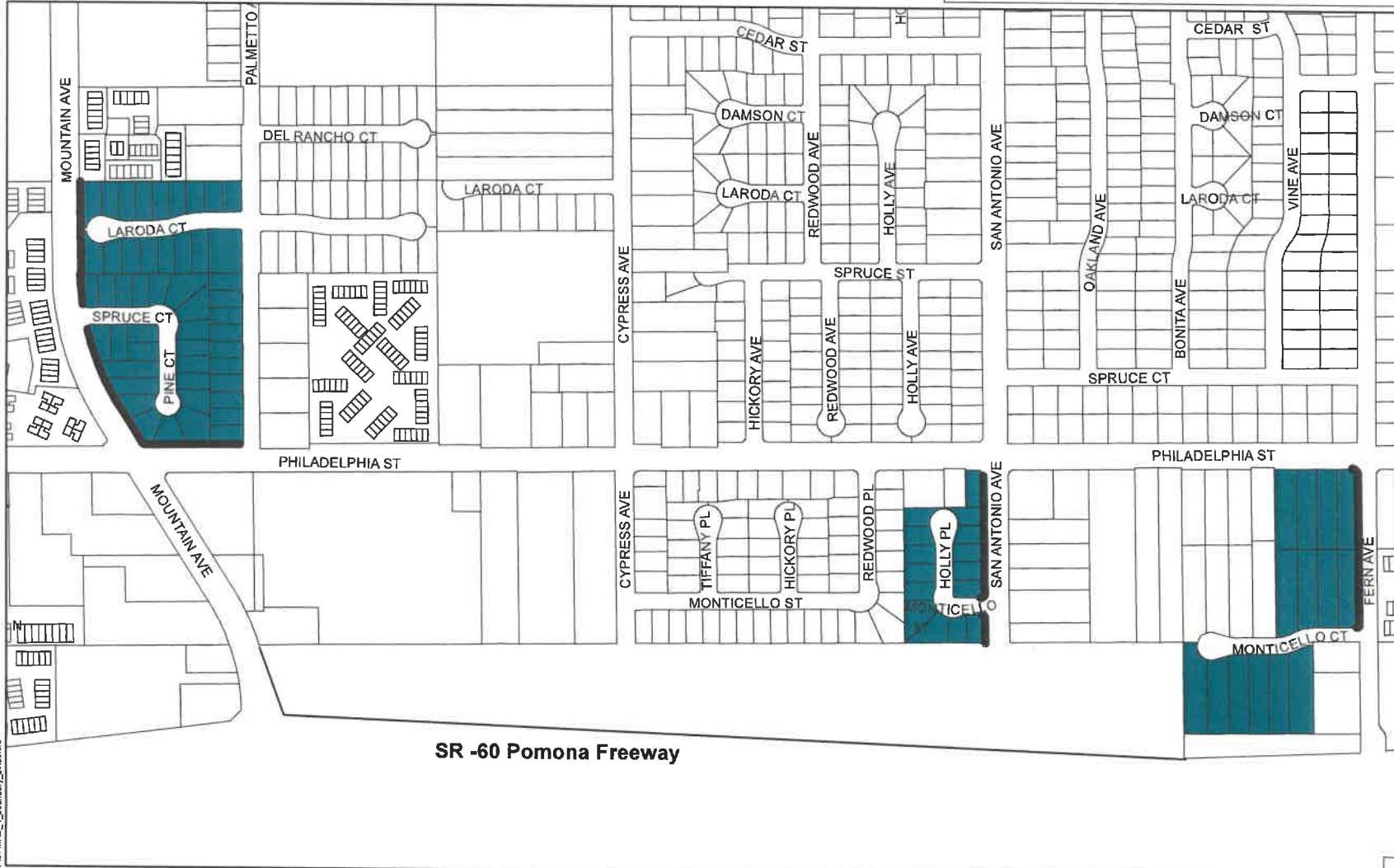
- Areas Maintained
- Boundary of Area Assessed

Map 1 of 2

Note: Reference is hereby made to the Maps of the Assessor of the County of San Bernardino, California, for detailed descriptions of the lines and dimensions of the parcels shown herein.

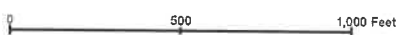


Ontario Parkway Maintenance Assessment District No. 1 Boundary and Inventory Map



SR -60 Pomona Freeway

May 25, 2017



Legend

- Areas Maintained
- Boundary of Area Assessed

Map 2 of 2

Note:
Reference is hereby made to the Maps of the Assessor of the County of San Bernardino, California, for detailed descriptions of the lines and dimensions of the parcels shown hereon.

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Ontario Parkway Maintenance Assessment District No. 2 Boundary and Inventory Map



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May 25, 2017



0 500 1,000 Feet



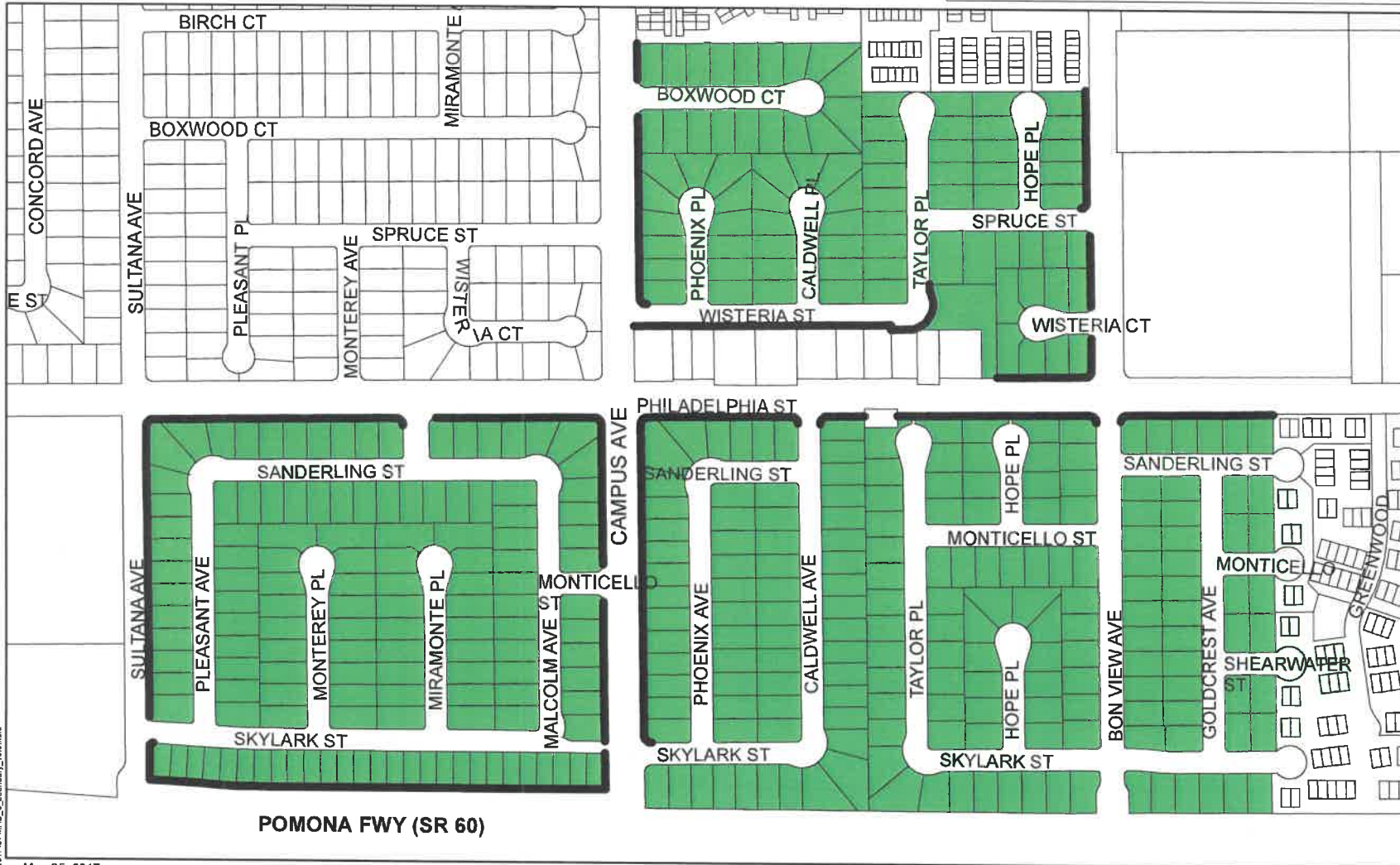
Legend Map 1 of 1

- Areas Maintained
- Boundary of Areas Assessed

Note:
Reference is hereby made to the Maps of the Assessor of the County of San Bernardino, California, for detailed descriptions of the lines and dimensions of the parcels shown hereon.

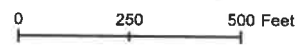
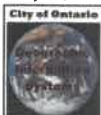


Ontario Parkway Maintenance Assessment District No. 3 Boundary and Inventory Map



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May 25, 2017



Legend **Map 1 of 5**

- Areas Maintained
- █ Boundary of Zone 2000-1

Note:
Reference is hereby made to the Maps of the Assessor of the County of San Bernardino, California, for detailed descriptions of the lines and dimensions of the parcels shown hereon.

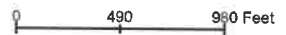


Ontario Parkway Maintenance Assessment District No. 3 Boundary and Inventory Map



Pathway: \\server\public\GIS\MapData\3_boulevard_2015.mxd
 May 25, 2017
 City of Ontario

May 25, 2017



Map 2 of 5

Legend

- Areas Maintained
- Boundary of Zone 2000-1

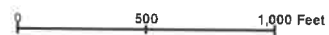
Note:
 Reference is hereby made to the Maps of the Assessor of the County of San Bernardino, California, for detailed descriptions of the lines and dimensions of the parcels shown hereon.



Ontario Parkway Maintenance Assessment District No. 3 Boundary and Inventory Map



May 25, 2017



Legend

- Areas Maintained
- Boundary of Zone 2000-1

Map 3 of 5

Note:
Reference is hereby made to the Maps of the Assessor of the County of San Bernardino, California, for detailed descriptions of the lines and dimensions of the parcels shown hereon.

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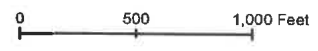


Ontario Parkway Maintenance Assessment District No. 3 Boundary and Inventory Map



Fence with Plantings along channel

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May 25, 2017
City of Ontario



Legend Map 4 of 5

- Areas Maintained
- Boundary of Zone 2000-1

Note:
Reference is hereby made to the Maps of the Assessor of the County of San Bernardino, California, for detailed descriptions of the lines and dimensions of the parcels shown hereon.

Ontario Parkway Maintenance Assessment District No. 3 Boundary and Inventory Map

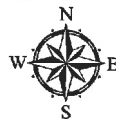





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 City of Ontario

May 25, 2017



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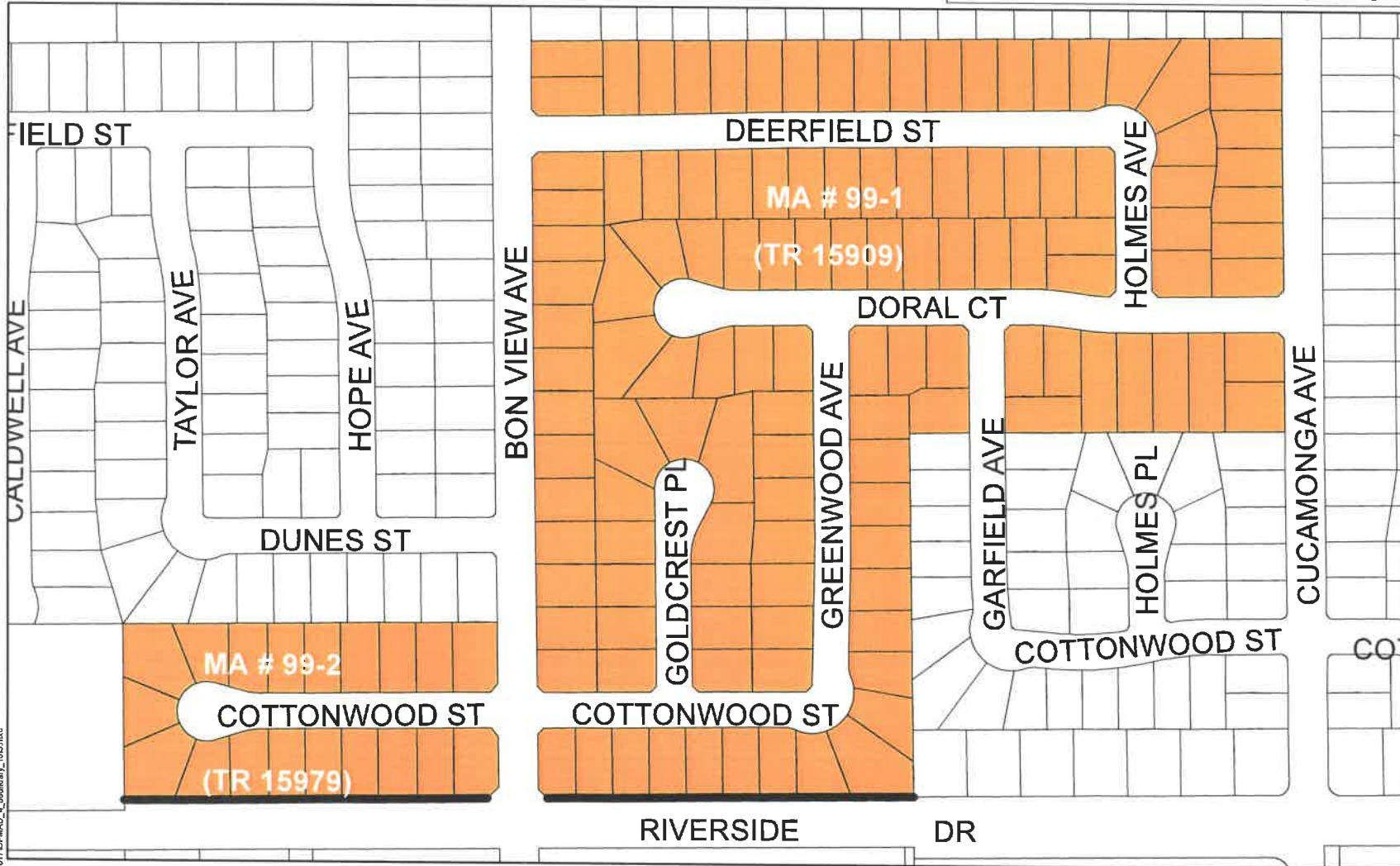


Legend	
	Areas Maintained
	Boundary of Zone 2000-1
	Boundary of Zone 2000-2

Note:
Reference is hereby made to the Maps of the Assessor of the County of San Bernardino, California, for detailed descriptions of the lines and dimensions of the parcels shown hereon.



**Ontario Parkway Maintenance
Assessment District No. 4
Boundary and Inventory Map**



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May 25, 2017



Legend

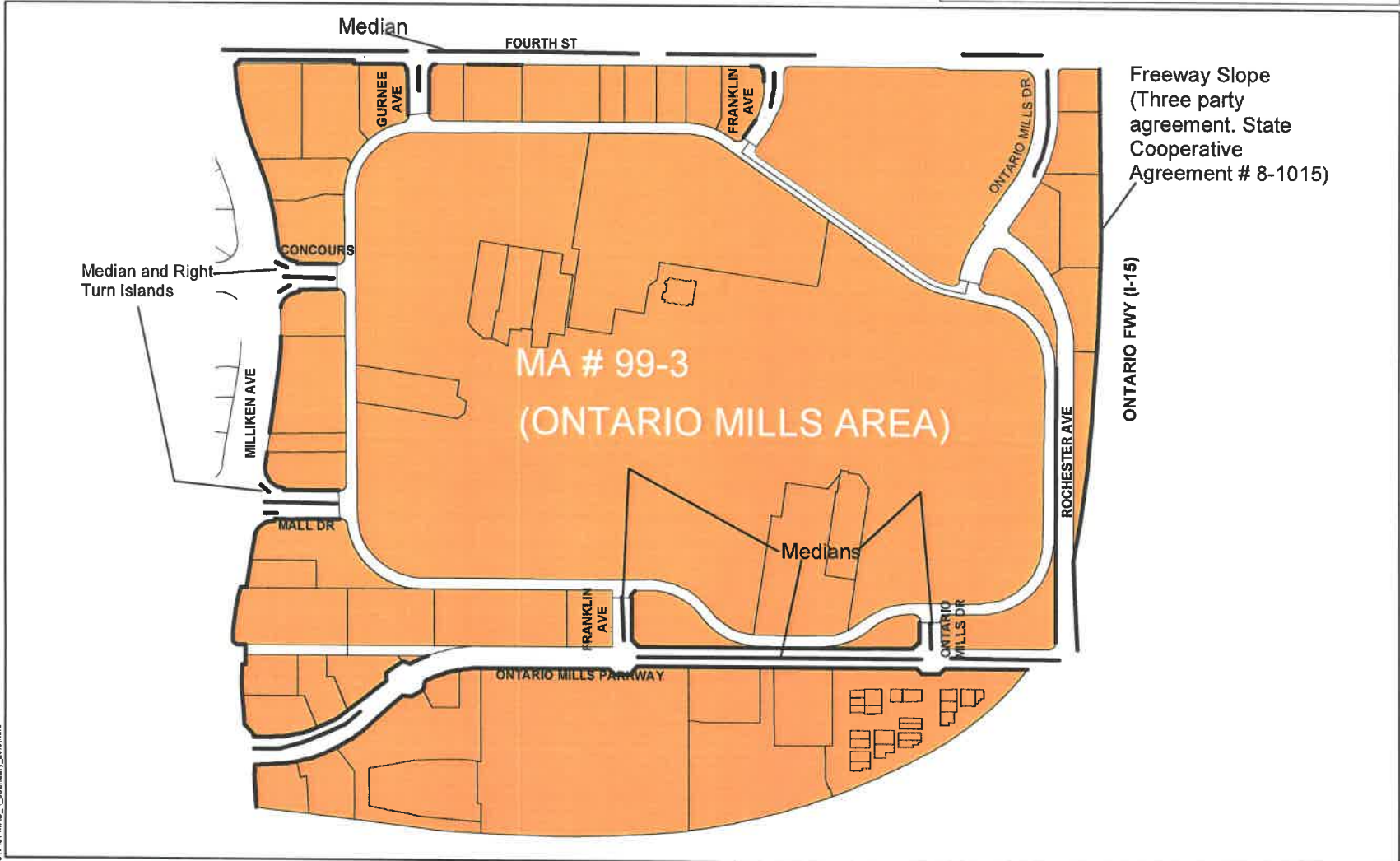
- Areas Maintained
- MA - # Boundary and Maintenance Area #

Map 1 of 5

Note:
Reference is hereby made to the Maps of the Assessor of the County of San Bernardino, California, for detailed descriptions of the lines and dimensions of the parcels shown herein.



Ontario Parkway Maintenance Assessment District No. 4 Boundary and Inventory Map



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May 25, 2017

City of Ontario



Legend

- Areas Maintained
- MA - # Boundary and Maintenance Area #

Map 2 of 5

Note:
Reference is hereby made to the Maps of the Assessor of the County of San Bernardino, California, for detailed descriptions of the lines and dimensions of the parcels shown hereon.



Ontario Parkway Maintenance Assessment District No. 4 Boundary and Inventory Map



May 25, 2017
City of Ontario
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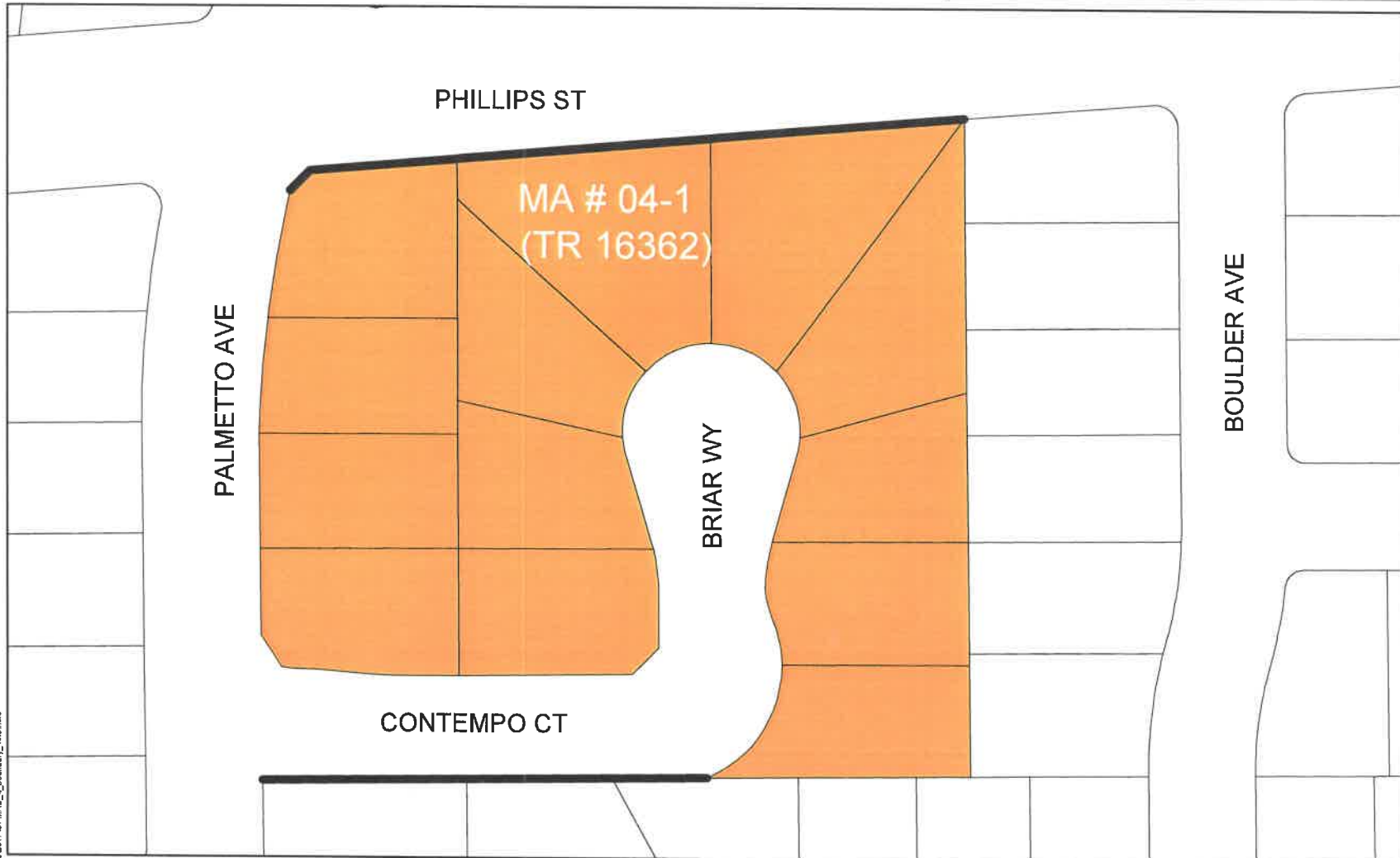
- Areas Maintained
- MA - # Boundary and Maintenance Area #

Map 3 of 5

Note:
Reference is hereby made to the Maps of the Assessor of the County of San Bernardino, California, for detailed descriptions of the lines and dimensions of the parcels shown hereon.



Ontario Parkway Maintenance Assessment District No. 4 Boundary and Inventory Map



Plus any waterAdmin_Sites2017\OPMAO_4_Boundary_405.mxd

May 25, 2017

City of Ontario



0 45 90 Feet



Legend

- Areas Maintained
- MA - # Boundary and Maintenance Area #

Map 4 of 5

Note:
Reference is hereby made to the Maps of the Assessor of the County of San Bernardino, California, for detailed descriptions of the lines and dimensions of the parcels shown hereon.



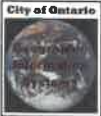
Ontario Parkway Maintenance Assessment District No. 4 Boundary and Inventory Map



MA # 05 -1
(TR 16333)

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May 25, 2017



0 100 200 Feet



Legend

- Areas Maintained
- MA - # Boundary and Maintenance Area #

Map 5 of 5

Note:
Reference is hereby made to the Maps of the Assessor of the County of San Bernardino, California, for detailed descriptions of the lines and dimensions of the parcels shown hereon.

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, DECLARING ITS INTENTION TO PROVIDE FOR AN ANNUAL LEVY AND COLLECTION OF ASSESSMENTS FOR FISCAL YEAR 2017-18 IN ONTARIO PARKWAY MAINTENANCE ASSESSMENT DISTRICTS NO. 1, 2 AND 3, PURSUANT TO THE PROVISIONS OF DIVISION 15, PART 2, OF THE STREETS AND HIGHWAYS CODE OF THE STATE OF CALIFORNIA, AND SETTING A TIME AND PLACE FOR A PUBLIC HEARING THEREON.

WHEREAS, the City Council of the City of Ontario, California, has previously formed landscaping maintenance assessment districts pursuant to the terms and provisions of the "Landscaping and Lighting Act of 1972," being Division 15, Part 2, of the Streets and Highways Code of the State of California, in what is known and designated as

CITY OF ONTARIO
PARKWAY MAINTENANCE ASSESSMENT DISTRICTS NO. 1, 2 AND 3

(hereinafter referred to as the Districts); and

WHEREAS, at this time, this City Council desires to conduct proceedings to provide for the annual levy of assessments for the ensuing fiscal year, to provide for the costs and expenses necessary for continual maintenance of improvements within said Districts; and

WHEREAS, at this time, there has been presented and approved by this City Council, the Engineer's Reports as required by law, and this City Council desires to conduct the proceedings for said annual levy.

NOW, THEREFORE, IT IS HEREBY RESOLVED as follows:

SECTION 1. That the above recitals are all true and correct.

SECTION 2. That the public interest and convenience requires, and it is the intention of this City Council, to undertake proceedings for the annual levy and collection of special assessments for the continual maintenance of certain improvements, all to service and benefit said Districts as said area is shown and delineated on the maps as previously approved by this City Council and on file in the Records Management Department, open to public inspection, and herein so referenced and made a part hereof, and proposed changes thereto are set forth in the Engineer's Reports, incorporated herein as a part hereof.

REPORT

SECTION 3. That the Engineer's Reports regarding the annual levy for said Districts, which Reports are for maintenance for said fiscal year, are hereby approved and are directed to be filed in the Records Management Department.

ASSESSMENT

SECTION 4. That the public interest and convenience requires, and it is the intention of this City Council to order the annual assessment levy for the Districts as set forth and described in said Engineer's Reports, and further it is determined to be in the best public interest and convenience to levy and collect annual assessments to pay the costs and expenses of said maintenance and improvement as estimated in said Reports.

DESCRIPTION OF MAINTENANCE

SECTION 5. The assessments levied and collected shall be for the maintenance of certain parkway landscaping and appurtenant improvements, as set forth in the Engineer's Reports, referenced and so incorporated herein.

COUNTY AUDITOR

SECTION 6. The County Auditor shall enter on the County Assessment Roll the amount of the assessments, and the County Tax Collector shall collect said assessments at the time and in the same manner as County taxes are collected. After collection by the County, the net amount of the assessments, after the deduction of any compensation due to the County for collection, shall be paid to the Treasurer for purposes of paying for the costs and expenses of said Districts.

SPECIAL FUND

SECTION 7. That all monies collected shall be deposited in a special fund. Payment shall be made out of said fund only for the purpose provided for in this Resolution, and in order to expedite the making of this maintenance and improvement, the City Council may transfer into said fund as it may deem necessary to expedite the proceedings. Any such transfer shall be repaid out of the proceeds of the assessments provided for in this Resolution.

BOUNDARIES OF DISTRICTS

SECTION 8. Said contemplated maintenance work is in the opinion of this City Council, of direct benefit to the properties within the boundaries of the Districts, and this City Council makes the costs and expenses of said maintenance chargeable upon the Districts, which Districts said City Council hereby declares to be the Districts benefited by said improvement and maintenance, and to be further assessed to pay the costs and expenses thereof. Said Districts shall include each and every parcel of land within the boundaries of said Districts, as said Districts are shown on the maps as approved by this City Council and on file in the Records Management Department.

PUBLIC PROPERTY

SECTION 9. Any lots or parcels of land known as public property, as the same are defined in Section 22663 of Division 15, Part 2, of the Streets and Highways Code of the State of California, which are included within the boundaries of the Districts, shall be omitted and exempt from any assessment to be made under these proceedings to cover any of the costs and expenses of said improvement and maintenance work.

PUBLIC HEARING

SECTION 10. NOTICE IS HEREBY GIVEN THAT A PUBLIC HEARING WILL BE HELD THE 18TH DAY OF JULY, 2017, AT THE HOUR OF 6:30 O'CLOCK P.M., IN THE REGULAR MEETING OF THE CITY COUNCIL, BEING IN THE COUNCIL CHAMBERS, WHICH IS THE TIME AND PLACE FIXED BY THIS CITY COUNCIL FOR THE HEARING OF PROTESTS OR OBJECTIONS IN REFERENCE TO THE ANNUAL LEVY OF ASSESSMENTS, TO THE EXTENT OF THE MAINTENANCE, BY PROPERTY OWNERS AFFECTED HEREBY AND ANY OTHER MATTERS CONTAINED IN THIS RESOLUTION. ANY PERSONS WHO WISH TO OBJECT TO THE PROCEEDINGS FOR THE ANNUAL LEVY SHOULD FILE A WRITTEN PROTEST WITH THE CITY CLERK PRIOR TO THE TIME SET AND SCHEDULED FOR SAID PUBLIC HEARING.

NOTICE

SECTION 11. That the City Clerk is hereby authorized and directed to publish, pursuant to Government Code Section 6061, a copy of this Resolution in the INLAND VALLEY DAILY BULLETIN, a newspaper of general circulation within said City, said publication shall be made one time and not less than ten (10) days before the date set for the Public Hearing.

SECTION 12. That this Resolution shall take effect immediately upon its adoption.

SECTION 13. For any and all information relating to the proceedings, protest procedure, any documentation and/or information of a procedural or technical nature, your attention is directed to the below listed person at the local agency or department so designated:

Bob Chandler
City of Ontario
303 East "B" Street
Ontario, California 91764
(909) 395-2353

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

PASSED, APPROVED, AND ADOPTED this 20th day of June 2017.

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. 2017- was duly passed and adopted by the City Council of the City of Ontario at their regular meeting held June 20, 2017 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. 2017- duly passed and adopted by the Ontario City Council at their regular meeting held June 20, 2017.

SHEILA MAUTZ, CITY CLERK

(SEAL)

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, DECLARING ITS INTENTION TO PROVIDE FOR AN ANNUAL LEVY AND COLLECTION OF ASSESSMENTS FOR FISCAL YEAR 2017-18 IN ONTARIO PARKWAY MAINTENANCE ASSESSMENT DISTRICT NO. 4, PURSUANT TO THE PROVISIONS OF DIVISION 15, PART 2, OF THE STREETS AND HIGHWAYS CODE OF THE STATE OF CALIFORNIA, AND SETTING A TIME AND PLACE FOR A PUBLIC HEARING THEREON.

WHEREAS, the City Council of the City of Ontario, California, has previously formed a landscaping maintenance assessment district, and authorized the levy of assessments therein pursuant to the terms and provisions of the "Landscaping and Lighting Act of 1972," being Division 15, Part 2, of the Streets and Highways Code of the State of California (the "1972 Act"), Article XIID of the Constitution of the State of California ("Article XIID"), and the Proposition 218 Omnibus Implementation Act (Government Code Section 53750 and following) (the "Implementation Act") (the 1972 Act, Article XIID and the Implementation Act are referred to collectively as the "Assessment Law") in what is known and designated as

CITY OF ONTARIO
PARKWAY MAINTENANCE ASSESSMENT DISTRICT NO. 4

(the "District"); and

WHEREAS, the City Council previously undertook proceedings as required by the Assessment Law to consider the approval of the levy of (a) maximum annual assessments to finance the estimated costs of the maintenance of all of the improvements to ultimately be maintained upon the completion and acceptance thereof for maintenance, assessing the net amount upon all assessable lots and/or parcels within the District in proportion to the special benefits received; together with a formula pursuant to which such maximum assessment may be adjusted annually for inflation, and (b) an initial annual assessment of the estimated costs of the maintenance of those improvements to be maintained during such Fiscal Year, assessing the net amount upon all assessable lots and/or parcels within the District in proportion to the special benefits received; and

WHEREAS, upon the conclusion of the public hearing related to the proposed levy of the maximum annual assessments referred to in the preceding recital, the assessment ballots submitted in favor of the maximum annual assessments and the assessment ballots received in opposition to the levy of the maximum annual assessments were tabulated with assessment ballots weighted according to the proportional financial obligation of the affected properties; and

WHEREAS, as a result of the tabulation of the assessment ballots submitted, it was determined that the assessment ballots submitted, and not withdrawn, in favor of the proposed maximum annual assessment exceeded the assessment ballots submitted, and not withdrawn, in opposition to the levy of the maximum annual assessment; and

WHEREAS, this City Council has initiated proceedings to provide for the annual levy of assessments for the referenced Fiscal Year, to finance the costs and expenses necessary for continual maintenance of improvements within said Districts; and

WHEREAS, at this time, there has been presented and approved by this City Council, the Assessment Engineer's Report as required by the Assessment Law, and this City Council desires to conduct the proceedings to authorize said annual levy; and

WHEREAS, the proposed annual assessments for the referenced Fiscal Year as set forth in the Assessment Engineer's Report do not exceed the maximum annual assessments as previously authorized to be levied and, therefore, the proposed levy of assessments for the referenced Fiscal Year are not deemed to be "increased" over the maximum annual assessments.

NOW, THEREFORE, IT IS HEREBY RESOLVED as follows:

RECITALS

SECTION 1. That the above recitals are all true and correct.

IMPROVEMENTS AND MAINTENANCE

SECTION 2. That the public interest and convenience requires, and it is the intention of this City Council, to undertake proceedings for the annual levy and collection of special assessments for the continual maintenance of the improvements described below, all to service and specially benefit the properties within said District as said area is shown and delineated on a map as previously approved by this City Council and on file in the Records Management Department, open to public inspection, and herein so referenced and made a part hereof.

The improvements to be maintained include the landscaping, planting, shrubbery, trees, irrigation systems, hardscapes, fixtures, sidewalks within designated medians, parkways, other public rights-of-way and dedicated easements specially benefiting the properties within the District.

The maintenance of such landscaping shall include the furnishing of services and materials for the ordinary and usual maintenance and servicing of the improvements, including:

- (a) Repair, removal, or replacement of all or any part of any improvement;

- (b) Providing for the life, growth, health, and beauty of the improvements, including cultivation, irrigation, trimming, spraying, fertilizing, and/or treating for disease and injury; and
- (c) The removal of trimmings, rubbish, and debris.

The annual assessment for the referenced Fiscal Year shall be levied only for those improvements completed or projected to be completed and accepted by this City Council for maintenance prior to or during said Fiscal Year.

ASSESSMENT ENGINEER'S REPORT

SECTION 3. That the Assessment Engineer's Report regarding the annual levy for said District, which Report is for maintenance for the said Fiscal Year, is hereby approved and is directed to be filed in the Records Management Department. Reference is made to such Report for a full and detailed description of the improvements to be maintained, the boundaries of the District and any zones therein, and the proposed assessments upon assessable lots and parcels of land within the District.

ASSESSMENT

SECTION 4. That the public interest and convenience requires, and it is the intention of this City Council to order the annual assessment levy for the District as set forth and described in said Assessment Engineer's Report, and further it is determined to be in the best public interest and convenience to levy and collect annual assessments to pay the costs and expenses of said maintenance and improvement as estimated in the Assessment Engineer's Report.

BOUNDARIES OF DISTRICT

SECTION 5. Said contemplated maintenance work is in the opinion of this City Council, of direct benefit to the properties within the boundaries of the District, and this City Council makes the costs and expenses of said maintenance chargeable upon a District, which District said City Council hereby declares to be the District benefited by said improvement and maintenance, and to be further assessed to pay the costs and expenses thereof. Said District shall include each and every parcel of land within the boundaries of said District, as said District is shown on a map as approved by this City Council and on file in the Records Management Department, and so designated by the name of the District.

PUBLIC HEARING

SECTION 6. NOTICE IS HEREBY GIVEN THAT A PUBLIC HEARING WILL BE HELD THE 18TH DAY OF JULY, 2017, AT THE HOUR OF 6:30 O'CLOCK P.M., IN THE REGULAR MEETING OF THE CITY COUNCIL, BEING IN THE COUNCIL CHAMBERS, WHICH IS THE TIME AND PLACE FIXED BY THIS CITY COUNCIL FOR THE HEARING OF PROTESTS OR OBJECTIONS IN REFERENCE TO THE ANNUAL LEVY OF ASSESSMENTS, TO THE EXTENT OF THE MAINTENANCE, BY ANY INTERESTED PERSON AND ANY OTHER MATTERS CONTAINED IN THIS RESOLUTION. ANY PERSONS WHO WISH TO OBJECT TO THE PROCEEDINGS FOR THE ANNUAL LEVY SHOULD FILE A WRITTEN PROTEST WITH THE CITY CLERK PRIOR TO THE TIME SET AND SCHEDULED FOR SAID PUBLIC HEARING.

NOTICE

SECTION 7. That the City Clerk is hereby authorized and directed to publish, pursuant to Government Code Section 6061, a copy of this Resolution in the INLAND VALLEY DAILY BULLETIN, a newspaper of general circulation within said City, said publication shall be made one time and not less than ten (10) days before the date set for the Public Hearing.

EFFECTIVE DATE OF RESOLUTION

SECTION 8. That this Resolution shall take effect immediately upon its adoption.

PROCEEDING INQUIRIES

SECTION 9. For any and all information relating to the proceedings, protest procedure, any documentation and/or information of a procedural or technical nature, your attention is directed to the below listed person at the local agency or department so designated:

Bob Chandler
City of Ontario
303 East "B" Street
Ontario, California 91764
(909) 395-2353

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

PASSED, APPROVED, AND ADOPTED this 20th day of June 2017.

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. 2017- was duly passed and adopted by the City Council of the City of Ontario at their regular meeting held June 20, 2017 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. 2017- duly passed and adopted by the Ontario City Council at their regular meeting held June 20, 2017.

SHEILA MAUTZ, CITY CLERK

(SEAL)

CITY OF ONTARIO

Agenda Report
June 20, 2017

SECTION:
CONSENT CALENDAR

SUBJECT: ANNUAL LEVY OF ASSESSMENTS WITHIN STREET LIGHTING MAINTENANCE DISTRICT NOS. 1 AND 2 FOR FISCAL YEAR 2017-18

RECOMMENDATION: That the City Council adopt resolutions pertaining to the levy of assessments within Street Lighting Maintenance District (SLMD) Nos. 1 and 2:

- (A) A resolution initiating proceedings and ordering the preparation of an Engineer's Report for each district relating to the annual levy of assessments;
- (B) A resolution giving preliminary approval of the Engineer's Reports; and
- (C) A resolution for each district declaring the City's intention to levy the special assessments for Fiscal Year 2017-18 and setting the date of July 18, 2017 for a Public Hearing on each district in accordance with the Landscaping and Lighting Act of 1972.

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

FISCAL IMPACT: As proposed, special assessment revenue will be generated in the amount of \$399,251 from SLMD No. 1 and \$97,147 from SLMD No. 2 during Fiscal Year 2017-18. A portion of the facilities within SLMD No. 1 provide general benefit to the public at large and cannot be funded with the assessment. The amount of general benefit is \$12,083. The total of the recommended assessments is increasing by an average of 1.85% for the two Benefit Zones within SLMD No. 1, and by 2.11% for the twelve maintenance areas in SLMD No. 2.

BACKGROUND: Street Lighting Maintenance District No. 1 was formed in 1984, and Street Lighting Maintenance District No. 2 was formed in 1999, pursuant to the Landscaping and Lighting Act of 1972 (the "1972 Act"), to help minimize the continually increasing cost for maintaining and operating the City's street lighting system. A special assessment is levied annually on benefiting properties for the

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. 06/20/2017
Approved: _____
Continued to: _____
Denied: _____

22

cost of maintenance and operation of certain street lighting facilities within the districts. The locations of the districts are shown on the attached maps.

The City’s Municipal Services Department establishes the annual maintenance costs and maintains the street lighting system. An Engineer’s Report for each district must be prepared annually, apportioning the costs to each parcel within the districts. The districts are comprised of commercial, industrial and some multi-family residential properties. Due to varying characteristics, the districts are organized into benefit zones and/or maintenance areas. Each zone/maintenance area is assessed for only the operation and maintenance of the facilities from which it receives direct special benefit. The total assessment for each zone/maintenance area is then apportioned to its constituent parcels. Therefore, the assessments are unique and specific to each individual parcel of property.

The total assessment during tax year 2016-17 was \$391,987 in SLMD No. 1, and \$95,143 in SLMD No. 2. The proposed total assessments for tax year 2017-18 are \$399,251 in SLMD No. 1, and \$97,147 in SLMD No. 2. A portion of the facilities within SLMD No. 1 provide general benefit to the public at large and cannot be funded with the assessment. The amount of this general benefit is \$12,083 per Fiscal Year 2017-18. The assessed tax rates for Fiscal Year 2016-17, and the maximum and proposed tax rates for Fiscal Year 2017-18, are as follows:

		Assessed 2016-17	Proposed 2017-18	Maximum 2017-18
SLMD No. 1, Zone 2000-1	per AU	\$ 137	\$ 140	\$ 141
SLMD No. 1, Zone 2000-2	per AU	\$ 69	\$ 70	\$ 116
SLMD No. 2, MA# 99-1		\$ 4,229	\$ 4,318	\$ 10,087
SLMD No. 2, MA# 99-2		\$ 2,185	\$ 2,231	\$ 5,016
SLMD No. 2, MA# 99-3		\$ 4,366	\$ 4,457	\$ 8,358
SLMD No. 2, MA# 99-4		\$ 1,461	\$ 1,492	\$ 3,348
SLMD No. 2, MA# 99-5		\$ 1,334	\$ 1,362	\$ 3,139
SLMD No. 2, MA# 99-6		\$ 13,074	\$ 13,348	\$ 29,294
SLMD No. 2, MA# 99-7		\$ 393	\$ 401	\$ 906
SLMD No. 2, MA# 99-8		\$ 2,914	\$ 2,976	\$ 6,687
SLMD No. 2, MA# 00-1		\$ 2,788	\$ 2,846	\$ 3,077
SLMD No. 2, MA# 00-2		\$ 1,461	\$ 1,492	\$ 2,052
SLMD No. 2, MA# 00-3		\$ 7,996	\$ 8,165	\$ 11,284
SLMD No. 2, MA# 00-4		\$ 52,941	\$ 54,056	\$ 64,616

AU-Assessment Unit (e.g. – Zone 2000-1: 1 vacant acre = 0.25 AU; Zone 2000-2: 1 vacant acre = 1 AU)

Pursuant to the “1972 Act,” Engineer’s Reports have been prepared for each district, and are on file with the Records Management Department. Each report includes plans and specifications for the improvements being operated and maintained, an estimate of costs, a diagram of the area proposed to be assessed, and an assessment of the costs to the various parcels within the districts.

A public hearing is required for each district prior to adoption of the proposed assessments. A combined public hearing will be held on July 18, 2017 for the purpose of accepting comments and written protests. At the conclusion of the public hearing, the City Council will consider adoption of resolutions confirming the assessments and ordering the levy of the assessments for tax year 2017-18. Notice of the public hearing for the levy of assessments will be published in the local newspaper, in accordance with the applicable statutes



Street Lighting Maintenance District No.1 VICINITY MAP



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May 25, 2017



0 4,000 8,000 Feet



Legend

- ZONE 2000-1
- Zone 2000-2

Note:
Reference is hereby made to the Maps of The Assessor of the County of San Bernardino, California, for a detailed description of the lines and dimensions of the parcels shown hereon.

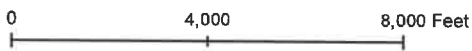


Street Lighting Maintenance District No.2 VICINITY MAP



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May 25, 2017



Legend

- Street Light Maintenance District 2

Note:
Reference is hereby made to the Maps of The Assessor of the County of San Bernardino, California, for a detailed description of the lines and dimensions of the parcels shown hereon.

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, ORDERING THE PREPARATION OF THE ASSESSMENT ENGINEER'S REPORTS PURSUANT TO THE PROVISIONS OF DIVISION 15, PART 2, OF THE STREETS AND HIGHWAYS CODE OF THE STATE OF CALIFORNIA, FOR PROCEEDINGS FOR THE ANNUAL ASSESSMENT LEVY WITHIN ONTARIO STREET LIGHTING MAINTENANCE DISTRICTS NO. 1 AND NO. 2 FOR FISCAL YEAR 2017-18.

WHEREAS, the City Council of the City of Ontario, California, previously formed maintenance districts pursuant to the terms and provisions of the "Landscaping and Lighting Act of 1972," being Division 15, Part 2, of the Streets and Highways Code of the State of California (the "1972 Act"), known and designated as

CITY OF ONTARIO
STREET LIGHTING MAINTENANCE DISTRICTS NO. 1 AND 2

(the "Districts"); and

WHEREAS, at this time the City Council desires to initiate proceedings to provide for the annual levy of assessments for the referenced Fiscal Year to provide for the annual costs for maintenance of improvements within the Districts; and

WHEREAS, the proceedings for the annual levy of assessments shall relate to the Fiscal Year commencing July 1, 2017, and ending June 30, 2018; and

WHEREAS, there has been submitted to this City Council for its consideration at this time, maps showing the boundaries of the areas affected by the levy of the assessments for the above-referenced Fiscal Year, and inventory maps showing and describing in general the works of improvement proposed to be maintained in said Districts, said description being sufficient to identify the works of improvement and the areas proposed to be assessed for said maintenance thereof.

NOW, THEREFORE, IT IS HEREBY RESOLVED as follows:

SECTION 1. That the above recitals are all true and correct.

SECTION 2. That the maps entitled

CITY OF ONTARIO
STREET LIGHTING MAINTENANCE DISTRICTS NO. 1 AND 2
BOUNDARY MAP AND INVENTORY MAPS

attached hereto, as submitted to this City Council, showing the boundaries of the proposed areas to be assessed and showing the works of improvement to be

maintained, are hereby approved, and a copy thereof shall be on file in the Records Management Department and open to public inspection. The proposed parcels and properties within said areas are those to be assessed to pay the costs and expenses for said maintenance work.

SECTION 3. That the proposed maintenance work within the areas proposed to be assessed shall be for street lighting and signal and appurtenant improvements, as said maintenance work is set forth in the Reports to be presented to this City Council for consideration.

SECTION 4. That the Assessment Engineer, Harris & Associates, is hereby ordered to prepare and file with this City Council the Assessment Engineer's Reports relating to said annual assessment and levy in accordance with the provisions of 1972 Act, Article XIID of the Constitution of the State of California ("Article XIID"), and the Proposition 218 Omnibus Implementation Act (Government Code Section 53750 and following) (the "Implementation Act") (the 1972 Act, Article XIID and the Implementation Act are referred to collectively as the "Assessment Law").

SECTION 5. That upon completion, said Assessment Engineer's Reports shall be filed with the City Clerk, who shall then submit the same to this City Council for its consideration pursuant to the Assessment Law.

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

PASSED, APPROVED, AND ADOPTED this 20th day of June 2017.

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. 2017- was duly passed and adopted by the City Council of the City of Ontario at their regular meeting held June 20, 2017 by the following roll call vote, to wit:

AYES: COUNCIL MEMBERS:

NOES: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

SHEILA MAUTZ, CITY CLERK

(SEAL)

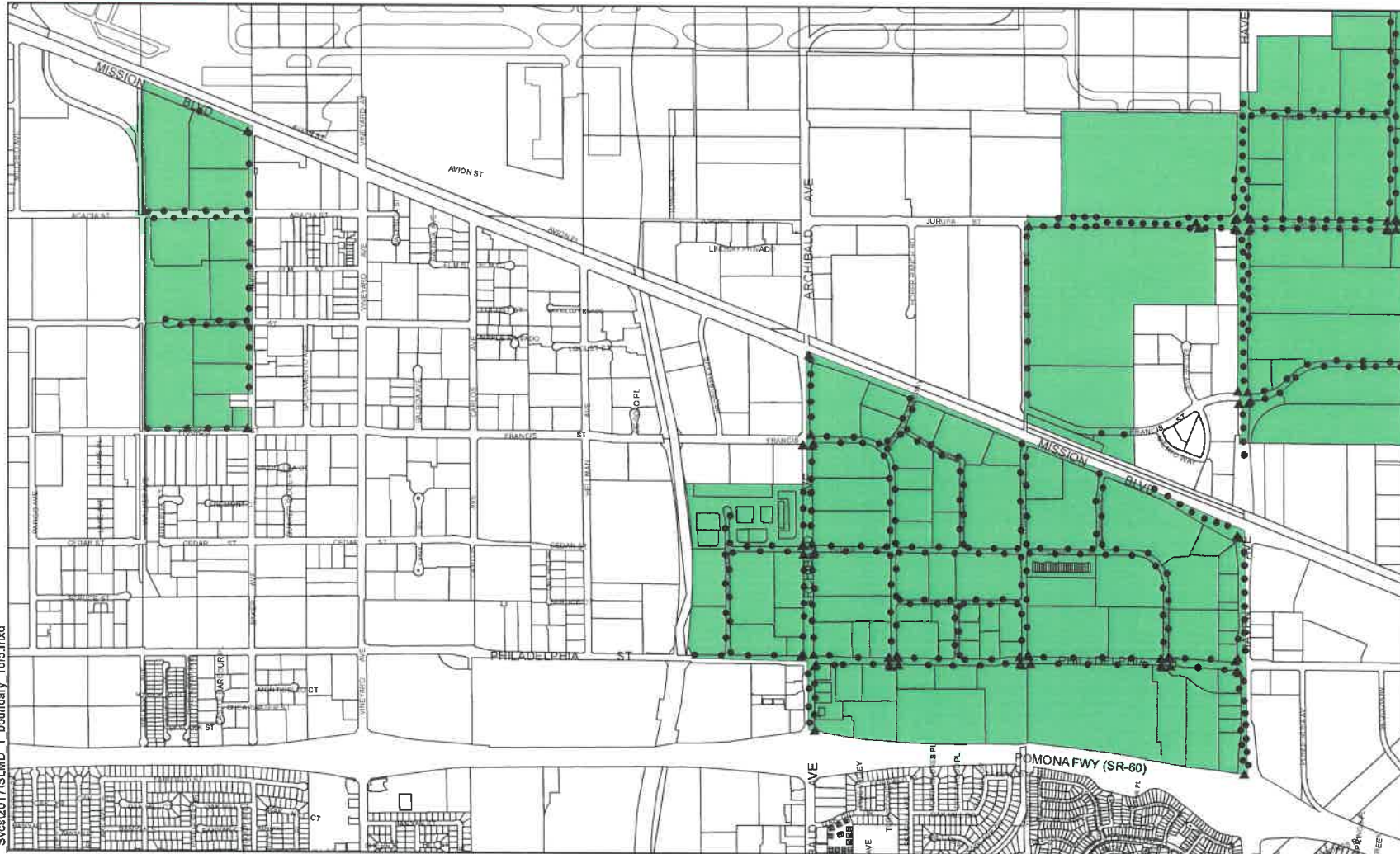
The foregoing is the original of Resolution No. 2017- duly passed and adopted by the Ontario City Council at their regular meeting held June 20, 2017.

SHEILA MAUTZ, CITY CLERK

(SEAL)



Street Lighting Maintenance District No.1 Boundary and Inventory Map



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May 25, 2017



0 2,000 4,000 Feet



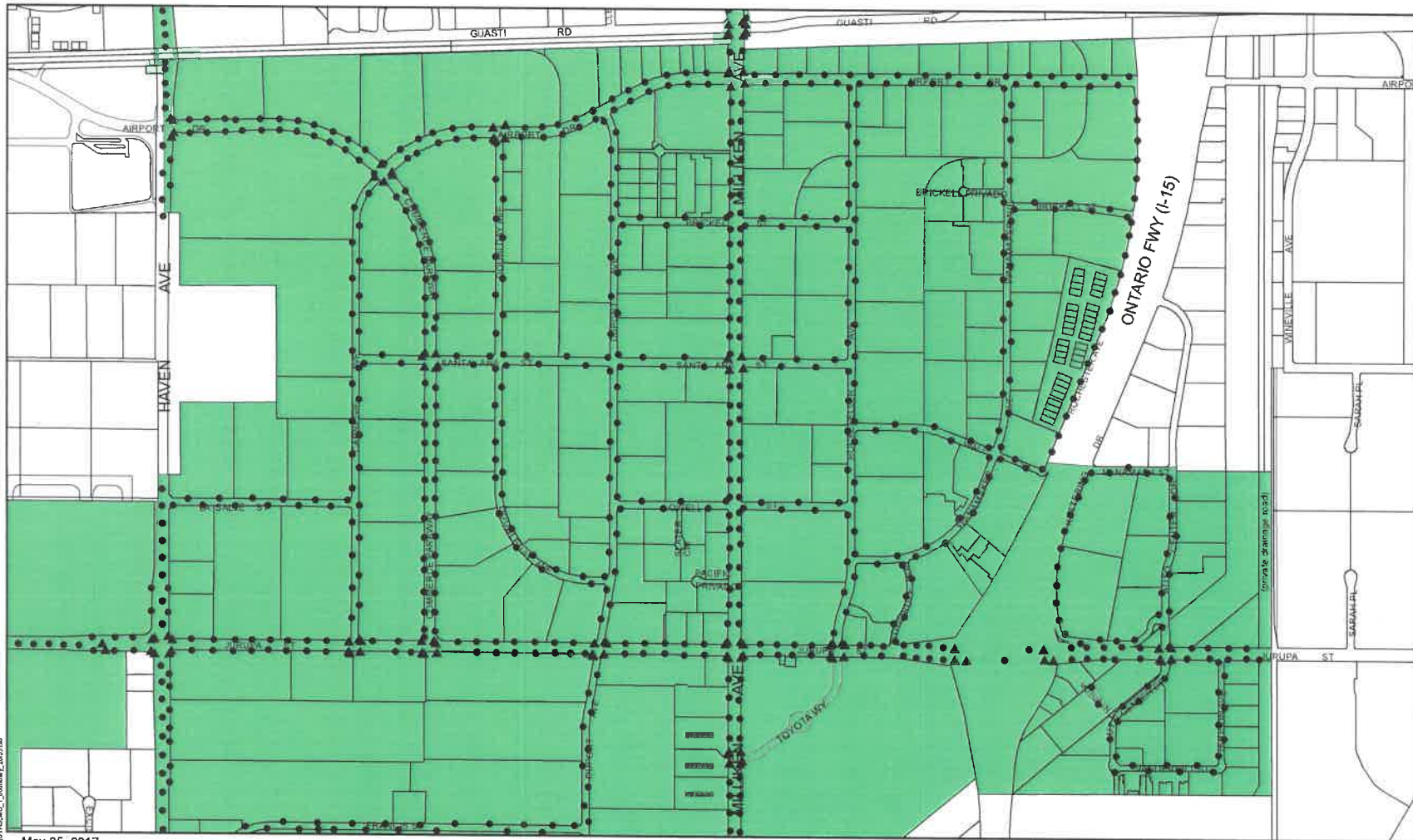
Legend 1 of 5

- Street Lights
- ▲ Safety Lights
- ZONE 2000-1
- ▨ Zone 2000-2

Note:
Reference is hereby made to the
Maps of The Assessor of the County of
San Bernardino, California, for a detailed
description of the lines and dimensions
of the parcels shown hereon.

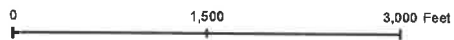


Street Lighting Maintenance District No.1 Boundary and Inventory Map



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May 25, 2017



Legend 2 of 5	
	Street Lights
	Safety Lights
	ZONE 2000-1
	Zone 2000-2

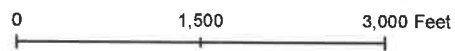
Note:
Reference is hereby made to the Maps of The Assessor of the County of San Bernardino, California, for a detailed description of the lines and dimensions of the parcels shown hereon.



Street Lighting Maintenance District No.1 Boundary and Inventory Map



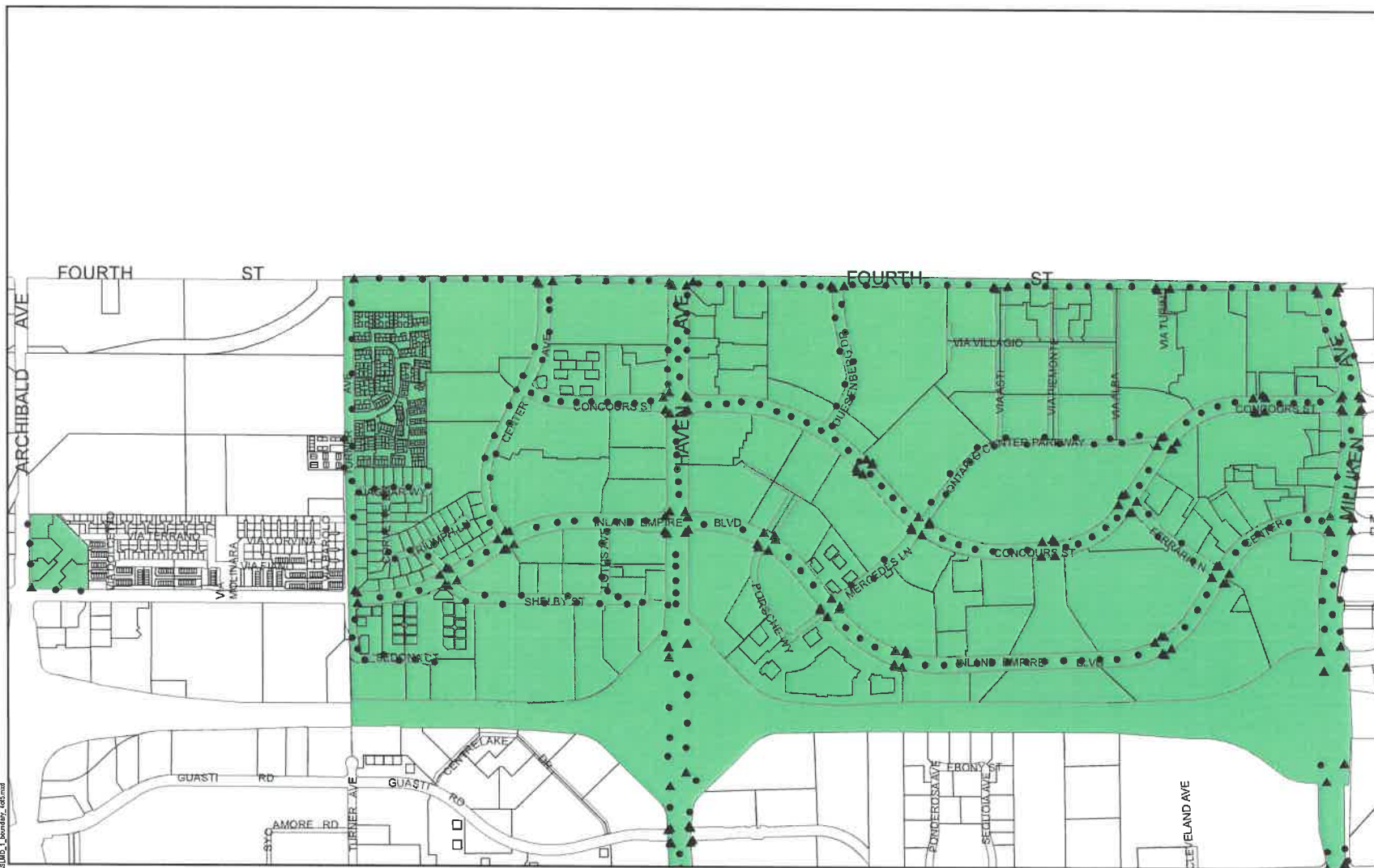
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May 25, 2017
City of Ontario



Legend 3 of 5	
●	Street Lights
▲	Safety Lights
■	ZONE 2000-1
□	Zone 2000-2

Note:
Reference is hereby made to the Maps of the Assessor of the County of San Bernardino, California, for detailed descriptions of the lines and dimensions of the parcels shown hereon.

**Street Lighting Maintenance District No.1
Boundary and Inventory Map**





May 25, 2017



0 950 1,900 Feet



Legend 4 of 5	
	Street Lights
	Safety Lights
	ZONE 2000-1
	Zone 2000-2

Note:
Reference is hereby made to the
Maps of The Assessor of the County of
San Bernardino, California, for a detailed
description of the lines and dimensions
of the parcels shown herein.

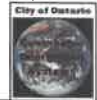


Street Lighting Maintenance District No. 1 Boundary and Inventory Map



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May 25, 2017



0 750 1,500 Feet



Legend 5 of 5	
●	Street Lights
▲	Safety Lights
■	Zone 2000-1
▨	Zone 2000-2

Note:
Reference is hereby made to the Maps of the Assessor of the County of San Bernardino, California, for detailed descriptions of the lines and dimensions of the parcels shown herein.

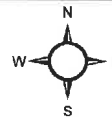
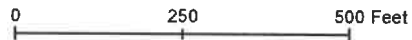


Street Lighting Maintenance District No. 2 Boundary and Inventory Map



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May 25, 2017



Legend 1 of 9

- Streetlight
- ▲ Safety Light
- MA # Boundary and Maintenance Area #

Note:
Reference is hereby made to the Maps of the Assessor of the County of San Bernardino, California, for detailed descriptions of the lines and dimensions of the parcels shown herein.

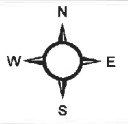


Street Lighting Maintenance District No. 2 Boundary and Inventory Map



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May 25, 2017



Legend 2 of 9

- Streetlight
- MA # Boundary and Maintenance Area #

Note:
Reference is hereby made to the Maps of the Assessor of the County of San Bernardino, California, for detailed descriptions of the lines and dimensions of the parcels shown herein.



Street Lighting Maintenance District No. 2 Boundary and Inventory Map



POMONA FWY (SR-60)

MA # 99-4

ARCH

ARCHIBALD AVE

OAK HILL DR

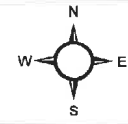
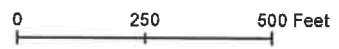
PINE VALLEY

VE

W

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May 25, 2017



Legend 3 of 9

- Streetlight
- MA # Boundary and Maintenance Area #

Note:
Reference is hereby made to the Maps of the Assessor of the County of San Bernardino, California, for detailed descriptions of the lines and dimensions of the parcels shown herein.



Street Lighting Maintenance District No. 2 Boundary and Inventory Map

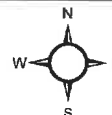


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May 25, 2017



0 700 1,400 Feet



Legend 4 of 9

- Streetlight
- ▲ Safety Lights
- MA # Boundary and Maintenance Area #

Note:
Reference is hereby made to the Maps of the Assessor of the County of San Bernardino, California, for detailed descriptions of the lines and dimensions of the parcels shown herein.

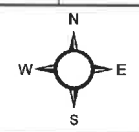
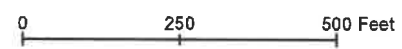


Street Lighting Maintenance District No. 2 Boundary and Inventory Map



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May 25, 2017



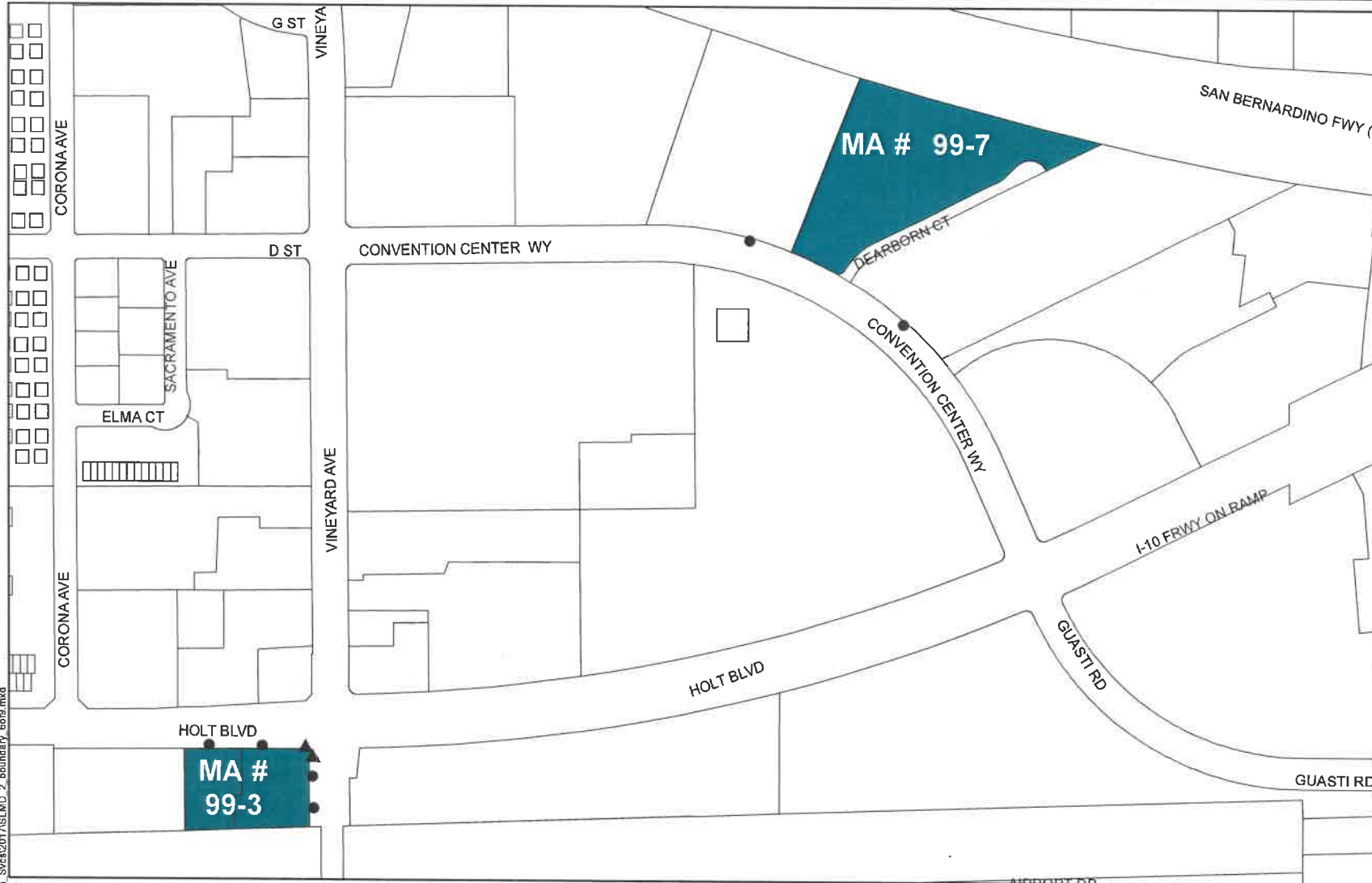
Legend 5 of 9

- Streetlight
- MA # Boundary and Maintenance Area #

Note:
Reference is hereby made to the Maps of the Assessor of the County of San Bernardino, California, for detailed descriptions of the lines and dimensions of the parcels shown herein.



Street Lighting Maintenance District No. 2 Boundary and Inventory Map

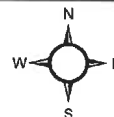


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May 25, 2017



0 395 790 Feet



Legend

- Streetlight
- ▲ Safety Lights
- MA # Boundary and Maintenance Area #

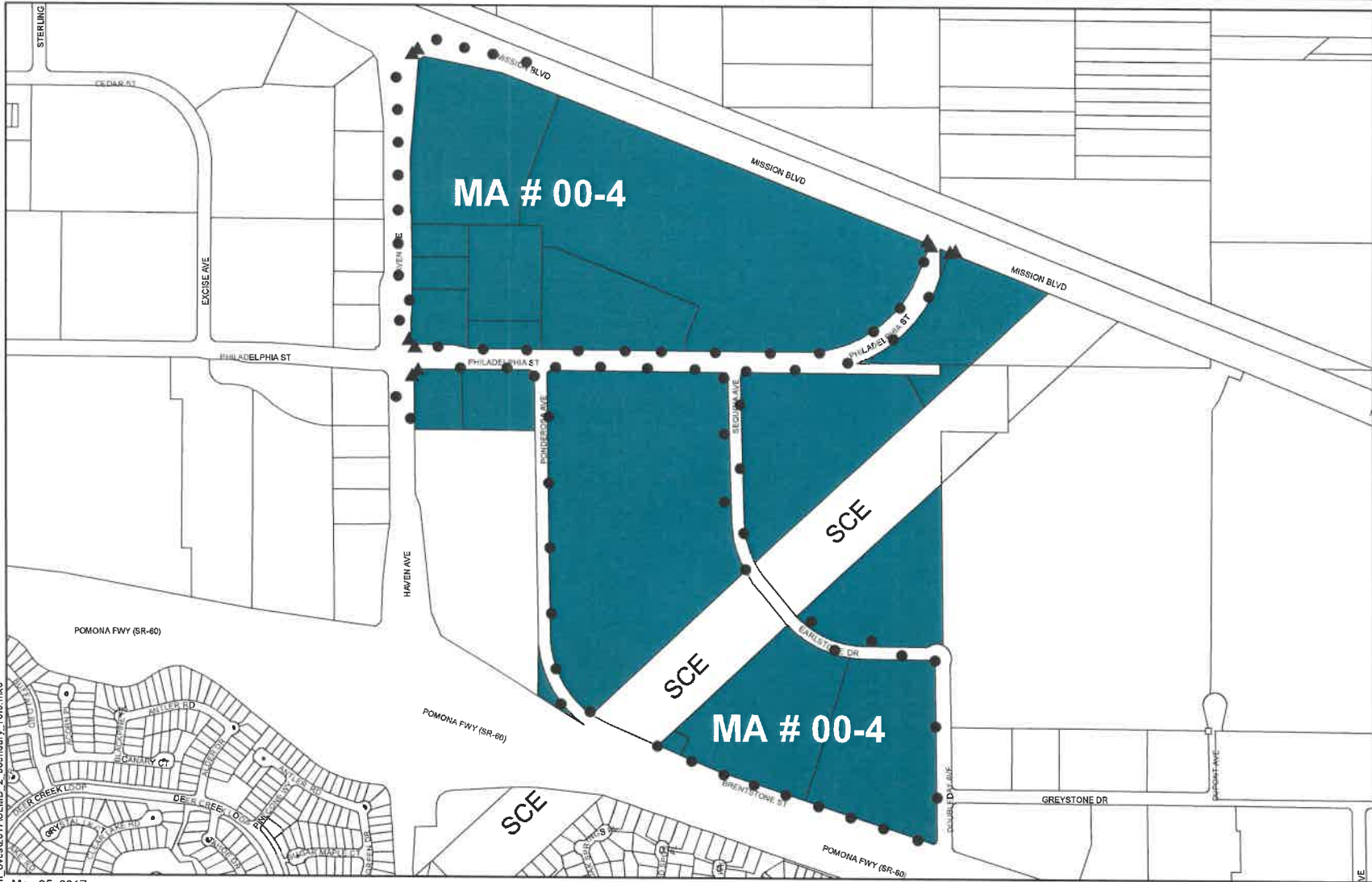
6 of 9

Note:

Reference is hereby made to the Maps of the Assessor of the County of San Bernardino, California, for detailed descriptions of the lines and dimensions of the parcels shown hereon.

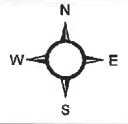
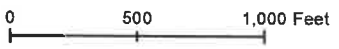


Street Lighting Maintenance District No. 2 Boundary and Inventory Map



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May 25, 2017



Legend 7 of 9

- Streetlight
- ▲ Safety Light
- MA # Boundary and Maintenance Area #

Note:
Reference is hereby made to the Maps of the Assessor of the County of San Bernardino, California, for detailed descriptions of the lines and dimensions of the parcels shown herein.

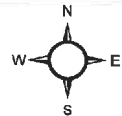


Street Lighting Maintenance District No. 2 Boundary and Inventory Map



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May 25 2017



Legend 8 of 9

- Streetlight
- MA # Boundary and Maintenance Area #

Note:
Reference is hereby made to the Maps of the Assessor of the County of San Bernardino, California, for detailed descriptions of the lines and dimensions of the parcels shown hereon.

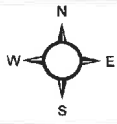
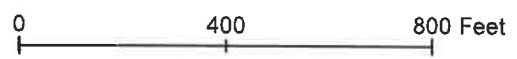


Street Lighting Maintenance District No. 2 Boundary and Inventory Map



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May 25, 2017



Legend 9 of 9

- Streetlight
- Boundary and Maintenance Area #

Note:
Reference is hereby made to the Maps of the Assessor of the County of San Bernardino, California, for detailed descriptions of the lines and dimensions of the parcels shown herein.

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING THE ASSESSMENT ENGINEER'S REPORTS FOR THE ANNUAL LEVY OF ASSESSMENTS WITHIN ONTARIO STREET LIGHTING MAINTENANCE DISTRICTS NO. 1 AND NO. 2 FOR FISCAL YEAR 2017-18.

WHEREAS, the City Council of the City of Ontario, California, pursuant to the provisions of Division 15, Part 2, of the Streets and Highways Code of the State of California (the "1972 Act"), Article XIID of the Constitution of the State of California ("Article XIID"), and the Proposition 218 Omnibus Implementation Act (Government Code Section 53750 and following) (the "Implementation Act") (the 1972 Act, Article XIID and the Implementation Act are referred to collectively as the "Assessment Law"), did, by previous Resolution, order the preparation of the Assessment Engineer's Reports for the annual levy of assessments for the referenced Fiscal Year in the maintenance assessment districts known and designated as

CITY OF ONTARIO
STREET LIGHTING MAINTENANCE DISTRICTS NO. 1 AND 2

(the "Districts"); and

WHEREAS, there has now been presented to this City Council the Assessment Engineer's Reports as required by the Assessment Law and as previously directed by Resolution; and

WHEREAS, this City Council has now examined and reviewed the Assessment Engineer's Reports as presented, and is satisfied with each and all of the items and documents as set forth therein, and is satisfied that the assessments on a preliminary basis, have been assessed in accordance with the special benefits received from the improvements to be maintained, as set forth in said Assessment Engineer's Reports.

NOW, THEREFORE, IT IS HEREBY RESOLVED as follows:

SECTION 1. That the above recitals are all true and correct.

SECTION 2. That the Assessment Engineer's Reports as presented, consisting of the following:

- A. Plans and specifications describing the general nature, location, and extent of the improvements to be maintained and the extent of such maintenance for each District;
- B. An estimate of the cost of the maintenance of the improvements for each District for the referenced Fiscal Year;

- C. A diagram for each District, showing the area and properties proposed to be assessed; and
- D. An annual assessment within each District for the referenced Fiscal Year of the estimated costs of the maintenance of those improvements to be maintained during such Fiscal Year, assessing the net amount upon all assessable lots and/or parcels within each District in proportion to the special benefits received;

are hereby approved on a preliminary basis and are ordered to be filed in the Records Management Department as a permanent record and to remain open to public inspection.

SECTION 3. That the City Clerk shall certify to the passage and adoption of this Resolution, and the minutes of this meeting shall so reflect the presentation of the Assessment Engineer's Reports.

PASSED, APPROVED, AND ADOPTED this 20th day of June 2017.

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. 2017- was duly passed and adopted by the City Council of the City of Ontario at their regular meeting held June 20, 2017 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. 2017- duly passed and adopted by the Ontario City Council at their regular meeting held June 20, 2017.

SHEILA MAUTZ, CITY CLERK

(SEAL)

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, DECLARING ITS INTENTION TO PROVIDE FOR AN ANNUAL LEVY AND COLLECTION OF ASSESSMENTS FOR FISCAL YEAR 2017-18 IN ONTARIO STREET LIGHTING MAINTENANCE DISTRICT NO. 1 PURSUANT TO THE PROVISIONS OF DIVISION 15, PART 2, OF THE STREETS AND HIGHWAYS CODE OF THE STATE OF CALIFORNIA, AND SETTING A TIME AND PLACE FOR A PUBLIC HEARING THEREON.

WHEREAS, the City Council of the City of Ontario, California, has previously formed a street lighting maintenance assessment district pursuant to the terms and provisions of the "Landscaping and Lighting Act of 1972," being Division 15, Part 2, of the Streets and Highways Code of the State of California (the "1972 Act"), in what is known and designated as

CITY OF ONTARIO
STREET LIGHTING MAINTENANCE DISTRICT NO. 1

(hereinafter referred to as the District); and

WHEREAS, the City Council has previously undertaken proceedings as required by the 1972 Act, Article XIID of the Constitution of the State of California ("Article XIID"), and the Proposition 218 Omnibus Implementation Act (Government Code Section 53750 and following) (the "Implementation Act and, together with the 1972 Act and Article XIID, the "Assessment Law") to approve and has approved the levy of maximum annual assessments to finance the estimated costs of the maintenance of all of the improvements to be maintained, assessing the net amount upon all assessable lots and/or parcels within the District in proportion to the special benefits received; together with a formula pursuant to which such maximum assessments may be adjusted annually for inflation; and

WHEREAS, at this time, this City Council desires to conduct proceedings to provide for the annual levy of assessments for the referenced Fiscal Year, to provide for the costs and expenses necessary for continual maintenance of improvements within said District; and

WHEREAS, at this time, there has been presented and approved by this City Council, the Engineer's Report as required by law, and this City Council desires to conduct the proceedings for said annual levy; and

WHEREAS, the proposed annual assessments for the referenced Fiscal Year as set forth in the Assessment Engineer's Report do not exceed the maximum annual assessments as previously authorized to be levied and, therefore, the proposed levy of assessments for the referenced Fiscal Year are not deemed to be "increased" over the maximum annual assessments.

NOW, THEREFORE, IT IS HEREBY RESOLVED as follows:

SECTION 1. That the above recitals are all true and correct.

SECTION 2. That the public interest and convenience requires, and it is the intention of this City Council, to undertake proceedings for the annual levy and collection of special assessments for the continual maintenance of certain improvements, all to service and specially benefit said District as said area is shown and delineated on the maps as previously approved by this City Council and on file in the Records Management Department, open to public inspection, and herein so referenced and made a part hereof, and proposed changes thereto are set forth in the Engineer's Report, incorporated herein as a part hereof.

REPORT

SECTION 3. That the Engineer's Report regarding the annual levy for said District, which Report is for maintenance for said Fiscal Year, is hereby approved and is directed to be filed in the Records Management Department. Reference is made to such Report for a full and detailed description of the improvements to be maintained, the boundaries of the District and the zones therein, and the proposed assessments on assessable lots and parcels of land within the District.

ASSESSMENT

SECTION 4. That the public interest and convenience requires, and it is the intention of this City Council to order the annual assessment levy for the District as set forth and described in said Engineer's Report, and further it is determined to be in the best public interest and convenience to levy and collect annual assessments to pay the costs and expenses of said maintenance and improvement as estimated in said Report.

DESCRIPTION OF MAINTENANCE

SECTION 5. The assessments levied and collected shall be for the maintenance of certain street lighting and appurtenant improvements, as set forth in the Engineer's Report, referenced and so incorporated herein.

COUNTY AUDITOR

SECTION 6. The County Auditor shall enter on the County Assessment Roll the amount of the assessments, and the County Tax Collector shall collect said assessments at the time and in the same manner as County taxes are collected. After collection by the County, the net amount of the assessments, after the deduction of any compensation due to the County for collection, shall be paid to the Treasurer for purposes of paying for the costs and expenses of said District.

SPECIAL FUND

SECTION 7. That all monies collected shall be deposited in a special fund. Payment shall be made out of said fund only for the purpose provided for in this Resolution, and in order to expedite the making of this maintenance and improvement, the City Council may transfer into said fund as it may deem necessary to expedite the proceedings. Any such transfer shall be repaid out of the proceeds of the assessments provided for in this Resolution.

BOUNDARIES OF DISTRICT

SECTION 8. Said contemplated maintenance work is in the opinion of this City Council, of special benefit to the properties within the boundaries of the District, and this City Council makes the costs and expenses of said maintenance chargeable upon the District, which District said City Council hereby declares to be the District specially benefited by said improvement and maintenance, and to be further assessed to pay the costs and expenses thereof. Said District shall include each and every parcel of land within the boundaries of said District, as said District is shown on the maps as approved by this City Council and on file in the Records Management Department.

PUBLIC HEARING

SECTION 9. NOTICE IS HEREBY GIVEN THAT A PUBLIC HEARING WILL BE HELD THE 18TH DAY OF JULY, 2017, AT THE HOUR OF 6:30 O'CLOCK P.M., IN THE REGULAR MEETING OF THE CITY COUNCIL, BEING IN THE COUNCIL CHAMBERS, WHICH IS THE TIME AND PLACE FIXED BY THIS CITY COUNCIL FOR THE HEARING OF PROTESTS OR OBJECTIONS IN REFERENCE TO THE ANNUAL LEVY OF ASSESSMENTS, TO THE EXTENT OF THE MAINTENANCE, BY PROPERTY OWNERS AFFECTED HEREBY AND ANY OTHER MATTERS CONTAINED IN THIS RESOLUTION. ANY PERSONS WHO WISH TO OBJECT TO THE PROCEEDINGS FOR THE ANNUAL LEVY SHOULD FILE A WRITTEN PROTEST WITH THE CITY CLERK PRIOR TO THE TIME SET AND SCHEDULED FOR SAID PUBLIC HEARING.

NOTICE

SECTION 10. That the City Clerk is hereby authorized and directed to publish, pursuant to Government Code Section 6061, a copy of this Resolution in the INLAND VALLEY DAILY BULLETIN, a newspaper of general circulation within said City, said publication shall be made one time and not less than ten (10) days before the date set for the Public Hearing.

SECTION 11. That this Resolution shall take effect immediately upon its adoption.

SECTION 12. For any and all information relating to the proceedings, protest procedure, any documentation and/or information of a procedural or technical nature, your attention is directed to the below listed person at the local agency or department so designated:

Bob Chandler
City of Ontario
303 East "B" Street
Ontario, California 91764
(909) 395-2353

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

PASSED, APPROVED, AND ADOPTED this 20th day of June 2017.

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. 2017- was duly passed and adopted by the City Council of the City of Ontario at their regular meeting held June 20, 2017 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. 2017- duly passed and adopted by the Ontario City Council at their regular meeting held June 20, 2017.

SHEILA MAUTZ, CITY CLERK

(SEAL)

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, DECLARING ITS INTENTION TO PROVIDE FOR AN ANNUAL LEVY AND COLLECTION OF ASSESSMENTS FOR FISCAL YEAR 2017-18 IN ONTARIO STREET LIGHTING MAINTENANCE DISTRICT NO. 2, PURSUANT TO THE PROVISIONS OF DIVISION 15, PART 2, OF THE STREETS AND HIGHWAYS CODE OF THE STATE OF CALIFORNIA, AND SETTING A TIME AND PLACE FOR A PUBLIC HEARING THEREON.

WHEREAS, the City Council of the City of Ontario, California, has previously formed a street lighting maintenance assessment district, and authorized the levy of assessments therein pursuant to the terms and provisions of the "Landscaping and Lighting Act of 1972," being Division 15, Part 2, of the Streets and Highways Code of the State of California (the "1972 Act"), Article XIID of the Constitution of the State of California ("Article XIID"), and the Proposition 218 Omnibus Implementation Act (Government Code Section 53750 and following) (the "Implementation Act") (the 1972 Act, Article XIID and the Implementation Act are referred to collectively as the "Assessment Law") in what is known and designated as

CITY OF ONTARIO
STREET LIGHTING MAINTENANCE DISTRICT NO. 2

(the "District"); and

WHEREAS, the City Council previously undertook proceedings as required by the Assessment Law to consider the approval of the levy of (a) maximum annual assessments to finance the estimated costs of the maintenance of all of the improvements to ultimately be maintained upon the completion and acceptance thereof for maintenance, assessing the net amount upon all assessable lots and/or parcels within the District in proportion to the special benefits received; together with a formula pursuant to which such maximum assessment may be adjusted annually for inflation, and (b) an initial annual assessment of the estimated costs of the maintenance of those improvements to be maintained during such Fiscal Year, assessing the net amount upon all assessable lots and/or parcels within the District in proportion to the special benefits received; and

WHEREAS, upon the conclusion of the public hearing related to the proposed levy of the maximum annual assessments referred to in the preceding recital, the assessment ballots submitted in favor of the maximum annual assessments and the assessment ballots received in opposition to the levy of the maximum annual assessments were tabulated with assessment ballots weighted according to the proportional financial obligation of the affected properties; and

WHEREAS, as a result of the tabulation of the assessment ballots submitted, it was determined that the assessment ballots submitted, and not withdrawn, in favor of the proposed maximum annual assessment exceeded the assessment ballots submitted, and not withdrawn, in opposition to the levy of the maximum annual assessment; and

WHEREAS, this City Council has initiated proceedings to provide for the annual levy of assessments for the referenced Fiscal Year, to finance the costs and expenses necessary for continual maintenance of improvements within said District; and

WHEREAS, at this time, there has been presented and approved by this City Council, the Assessment Engineer's Report as required by the Assessment Law, and this City Council desires to conduct the proceedings to authorize said annual levy; and

WHEREAS, the proposed annual assessments for the referenced Fiscal Year as set forth in the Assessment Engineer's Report do not exceed the maximum annual assessments as previously authorized to be levied and, therefore, the proposed levy of assessments for the referenced Fiscal Year are not deemed to be "increased" over the maximum annual assessments.

NOW, THEREFORE, IT IS HEREBY RESOLVED as follows:

RECITALS

SECTION 1. That the above recitals are all true and correct.

IMPROVEMENTS AND MAINTENANCE

SECTION 2. That the public interest and convenience requires, and it is the intention of this City Council, to undertake proceedings for the annual levy and collection of special assessments for the continual maintenance of the improvements described below, all to service and specially benefit the properties within said District as said area is shown and delineated on a map as previously approved by this City Council and on file in the Records Management Department, open to public inspection, and herein so referenced and made a part hereof:

The improvements to be maintained include street lighting facilities specially benefiting the properties within the District. Such street lighting facilities include all works or improvements used or useful for street lighting, including luminaires, poles, supports, tunnels, manholes, vaults, conduits, pipes, wires, conductors, guys, stubs, platforms, braces, transformers, insulators, contacts, switches, capacitors, meters, communications circuits, appliances, attachments and appurtenances.

The maintenance of such street lighting facilities shall include the furnishing of services and materials for the ordinary and usual maintenance and servicing of the street lighting facilities, including:

- (a) Repair, removal, or replacement of all or any part of any street lighting facility; and
- (b) The provision of electric current for the operation of such street lighting facilities.

Reference is made to the Assessment Engineer's Report for further information regarding the improvements to be maintained and the scope of such maintenance.

The annual assessment for the referenced Fiscal Year shall be levied only for those improvements completed or projected to be completed and accepted by this City Council for maintenance prior to or during said Fiscal Year.

ASSESSMENT ENGINEER'S REPORT

SECTION 3. That the Assessment Engineer's Report regarding the annual levy for said District, which Report is for maintenance for the said Fiscal Year, is hereby approved and is directed to be filed in the Records Management Department. Reference is made to such Report for a full and detailed description of the improvements to be maintained, the boundaries of the District and any zones therein, and the proposed assessments upon assessable lots and parcels of land within the District.

ASSESSMENT

SECTION 4. That the public interest and convenience requires, and it is the intention of this City Council to order the annual assessment levy for the District as set forth and described in said Assessment Engineer's Report, and further it is determined to be in the best public interest and convenience to levy and collect annual assessments to pay the costs and expenses of said maintenance and improvement as estimated in the Assessment Engineer's Report.

BOUNDARIES OF DISTRICT

SECTION 5. Said contemplated maintenance work is in the opinion of this City Council, of direct benefit to the properties within the boundaries of the District, and this City Council makes the costs and expenses of said maintenance chargeable upon a District, which District said City Council hereby declares to be the District benefited by said improvement and maintenance, and to be further assessed to pay the costs and expenses thereof. Said District shall include each and every parcel of land within the boundaries of said District, as said District is shown on a map as approved by this City Council and on file in the Records Management Department, and so designated by the name of the District.

PUBLIC HEARING

SECTION 6. NOTICE IS HEREBY GIVEN THAT A PUBLIC HEARING WILL BE HELD THE 18TH DAY OF JULY, 2017, AT THE HOUR OF 6:30 O'CLOCK P.M., IN THE REGULAR MEETING OF THE CITY COUNCIL, BEING IN THE COUNCIL CHAMBERS, WHICH IS THE TIME AND PLACE FIXED BY THIS CITY COUNCIL FOR THE HEARING OF PROTESTS OR OBJECTIONS IN REFERENCE TO THE ANNUAL LEVY OF ASSESSMENTS, TO THE EXTENT OF THE MAINTENANCE, BY ANY INTERESTED PERSON AND ANY OTHER MATTERS CONTAINED IN THIS RESOLUTION. ANY PERSONS WHO WISH TO OBJECT TO THE PROCEEDINGS FOR THE ANNUAL LEVY SHOULD FILE A WRITTEN PROTEST WITH THE CITY CLERK PRIOR TO THE TIME SET AND SCHEDULED FOR SAID PUBLIC HEARING.

NOTICE

SECTION 7. That the City Clerk is hereby authorized and directed to publish, pursuant to Government Code Section 6061, a copy of this Resolution in the INLAND VALLEY DAILY BULLETIN, a newspaper of general circulation within said City, said publication shall be made one time and not less than ten (10) days before the date set for the Public Hearing.

EFFECTIVE DATE OF RESOLUTION

SECTION 8. That this Resolution shall take effect immediately upon its adoption.

PROCEEDING INQUIRIES

SECTION 9. For any and all information relating to the proceedings, protest procedure, any documentation and/or information of a procedural or technical nature, your attention is directed to the below listed person at the local agency or department so designated:

Bob Chandler
City of Ontario
303 East "B" Street
Ontario, California 91764
(909) 395-2353

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

PASSED, APPROVED, AND ADOPTED this 20th day of June 2017.

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. 2017-0001 was duly passed and adopted by the City Council of the City of Ontario at their regular meeting held June 20, 2017 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. 2017-0001 duly passed and adopted by the Ontario City Council at their regular meeting held June 20, 2017.

SHEILA MAUTZ, CITY CLERK

(SEAL)

CITY OF ONTARIO

Agenda Report
June 20, 2017

SECTION:
CONSENT CALENDAR

SUBJECT: A MAINTENANCE SERVICE AGREEMENT FOR LANDSCAPE MAINTENANCE SERVICES FOR PARKS, EDENGLLEN/SCE WALKING TRAIL, FORMER REDEVELOPMENT SITES AND PARKWAYS AND LANDSCAPE MEDIANS

RECOMMENDATION: That the City Council takes the following actions:

- (A) Authorize the City Manager to execute a five-year Maintenance Service Agreement (on file with the Records Management Department) for contract No. PM1617-4 with Merchants Landscape, Inc. located in Rancho Cucamonga, California, for an annual estimated cost of \$576,012 plus a 5% contingency of \$28,801; for park landscape maintenance;
- (B) Authorize the City Manager to execute a five-year Maintenance Service Agreement (on file with the Records Management Department) for contract No. PM1617-12 with Merchants Landscape, Inc. located in Rancho Cucamonga, California, for an annual estimated cost of \$204,000 plus a 5% contingency of \$10,200; for landscape maintenance for the walking trail surrounding the Edenglen community;
- (C) Authorize the City Manager to execute a five-year Maintenance Service Agreement (on file with the Records Management Department) for contract No. PM1617-10 with Brightview Landscape Services, Inc. located in Upland, California, for an annual estimated cost of \$145,788 plus a 5% contingency of \$7,290; for landscape maintenance at former Redevelopment properties and sites;
- (D) Authorize the City Manager to execute a five-year Maintenance Service Agreement (on file with the Records Management Department) for contract No. PM1617-9 with Brightview Landscape Services, Inc. located in Upland, California, for an annual estimated cost of \$174,996 plus a 5% contingency of \$8,750; for landscape maintenance of certain parkways and landscape medians throughout the City; and

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

Prepared by: Roberto Perez
Department: Parks and Maintenance

City Manager Approval: 

Submitted to Council/O.H.A. 06/20/2017

Approved: _____

Continued to: _____

Denied: _____

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- (E) Authorize the addition of future service areas; and the option to extend the agreements for up to two additional years consistent with the City Council approved budgets.

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

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

FISCAL IMPACT: The estimated annual base cost for the proposed agreements are as follows:

- (A) The Merchants Landscape Maintenance Service Agreement is \$576,012 plus \$28,801, of contingency for urgency services for a total contract of \$604,813 for each of the first five years for a total of \$3,024,065. At the City's discretion, two additional one-year extensions may be exercised and the optional years include price increase of 6% for the option years.
- (B) The Merchants Landscape Maintenance Service Agreement is \$204,000 plus \$10,200, of contingency for urgency services for a total contract of \$214,200 for each of the first five years for a total of \$1,071,000. At the City's discretion, two additional one-year extensions may be exercised and the optional years include price increase of 6% for the option years.
- (C) The Brightview Landscape Maintenance Service Agreement is \$145,788 plus \$7,290, of contingency for urgency services for a total contract of \$153,078 for each of the first five years for a total of \$765,390. At the City's discretion, two additional one-year extensions may be exercised and the optional years include price increase of 3% for the option years.
- (D) The Brightview Landscape Maintenance Service Agreement is \$174,996 plus \$8,750, of contingency for urgency services for a total contract of \$183,746 for each of the first five years for a total of \$918,730. At the City's discretion, two additional one-year extensions may be exercised and the optional years include price increase of 3% for the option years.

Appropriation for the cost of landscape maintenance services for parks, Edenglen walking trail, former Redevelopment sites and parkways and landscape medians will be included in the Fiscal Year 2017-18 Proposed Operating Budget, if approved.

Future contracting actions will be commensurate with the City Council authorized work programs and budgets. Contracting for a the multi-year period will allow the City to: limit the potential for yearly increases to the bid amounts; avoid the costs of re-bidding the contract annually, provide service continuity; and better project future costs.

BACKGROUND: A summary of the proposal results are as follows:

(A) Parks

In March 2017, the City solicited proposals for landscape maintenance services for parks. Six proposals were received that met the bid criteria and standards necessary to perform this work.

<u>Vendor</u>	<u>Location</u>	<u>Amount</u>
Merchants Landscape	Rancho Cucamonga, CA	\$ 576,012
S.C. Yamamoto Landscape West	La Habra, CA	\$ 657,600
MCE Corporation	Chino, CA	\$ 813,792
Mariposa Landscape	Riverside, CA	\$ 834,082
RP Landscape	Irwindale, CA	\$ 882,876
	San Bernardino, CA	\$ 990,636

Merchants Landscape, Inc. located in Rancho Cucamonga, California, submitted a proposal that met all the required specifications with base cost, five year total of \$2,880,060. Based proposal, credentials, pricing and favorable reference checks, staff recommends award of a Maintenance Services Agreement to Merchants Landscape, Inc.

(B) Edenglen Walking Trail

In March 2017, the City solicited proposals for landscape maintenance services for the Edenglen walking trail. Two proposals were received that met the bid criteria and standards necessary to perform this work.

<u>Vendor</u>	<u>Location</u>	<u>Amount</u>
Merchants Landscape	Rancho Cucamonga, CA	\$ 204,000
Brightview Landscape	Upland, CA	\$ 304,392

Merchants Landscape, Inc. located in Rancho Cucamonga, California, submitted a proposal that met all the required specifications with base cost, five year total of \$1,020,000. Based proposal, credentials, pricing and favorable reference checks, staff recommends award of a Maintenance Services Agreement to Merchants Landscape, Inc.

(C) Former Redevelopment Properties and Sites

In March 2017, the City solicited proposals for landscape maintenance services for former Redevelopment properties and sites. Three proposals were received that met the bid criteria and standards necessary to perform this work.

<u>Vendor</u>	<u>Location</u>	<u>Amount</u>
Brightview Landscape	Upland, CA	\$ 145,788
Nova Landscape	Fontana, CA	\$ 155,240
SoCal Land Maintenance	Anaheim, CA	\$ 169,168

Brightview Landscape Services, Inc. located in Upland, California, submitted a proposal that met all the required specifications with base cost, five year total of \$728,940. Based proposal, credentials, pricing and favorable reference checks, staff recommends award of a Maintenance Services Agreement to Brightview Landscape Services, Inc.

(D) Parkways and Landscape Medians

In March 2017, the City solicited proposals for landscape maintenance services for parkways and landscape medians. Four proposals were received that met the bid criteria and standards necessary to perform this work.

<u>Vendor</u>	<u>Location</u>	<u>Amount</u>
Brightview Landscape	Upland, CA	\$ 174,996
Merchants Landscape	Rancho Cucamonga, CA	\$ 218,532
S.C. Yamamoto	La Habra, CA	\$ 235,200
DW Landscape	Upland, CA	\$ 441,693

Brightview Landscape Services, Inc. located in Upland, California, submitted a proposal that met all the required specifications with base cost, five year total of \$874,980. Based proposal, credentials, pricing and favorable reference checks, staff recommends award of a Maintenance Services Agreement to Brightview Landscape Services, Inc.

CITY OF ONTARIO

Agenda Report
June 20, 2017

SECTION:
CONSENT CALENDAR

SUBJECT: A MAINTENANCE SERVICE AGREEMENT FOR LANDSCAPE FERTILIZATION, WEED CONTROL, PEST AND DISEASE CONTROL SERVICES

RECOMMENDATION: That the City Council authorize the City Manager to execute a five-year Maintenance Service Agreement (on file with the Records Management Department) for contract No. PM1617-8 with RPW, Inc. located in Fullerton, California, for an annual estimated cost of \$63,492 plus a 5% contingency of \$3,175; authorize addition of future service areas; and authorize the option to extend the agreement for up to two additional years consistent with the City Council approved budgets.

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

FISCAL IMPACT: The estimated annual base cost of the proposed Maintenance Service Agreement is \$63,492 plus \$3,175 of contingency for as-needed urgency services for an estimated contract amount of \$66,667 for each of the first five years, or a total of \$333,335. Appropriations for these services will be included in the Fiscal Year 2017-18 Proposed Operating Budget, if approved.

At the City's discretion, two additional one-year extensions may be exercised and the optional years include price increases of 7% for each of the option years. Future contracting actions will be commensurate with the City Council authorized work programs and budgets. Contracting for a multi-year period will allow the City to: limit the potential for yearly increases to the bid amounts; avoid the costs of re-bidding the contract annually, provide service continuity; and better project future costs.

BACKGROUND: In March 2017, the City solicited bids for landscape fertilization, weed control, pest, and disease control services citywide. Two bids were received that appeared to meet the bid criteria and standards. Merchants Landscape, Inc. submitted the apparent low bid; however, the contractor requested to withdraw their bid due to the company's inability to fulfill all the contract performance requirements at their bid amount.

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

Prepared by: Robert Perez
Department: Parks and Maintenance

City Manager
Approval: 

Submitted to Council/O.H.A. 06/20/2017

Approved: _____

Continued to: _____

Denied: _____

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A summary of the proposal results reflecting base annual cost follows:

<u>Vendor</u>	<u>Location</u>	<u>Amount</u>
Merchants Landscape *	Rancho Cucamonga, CA	\$53,400
RPW, Inc.	Fullerton, CA	\$63,492

* *Bid response withdrawn*

RPW, Inc., located in Fullerton, California, submitted a proposal that met all the required specifications with base cost, five year total of \$317,460. Based on the subject proposal, credentials, pricing and favorable reference checks, staff recommends award of a Maintenance Services Agreement RPW, Inc., for landscape fertilization, weed control, pest, and disease control services.

CITY OF ONTARIO

Agenda Report
June 20, 2017

SECTION:
CONSENT CALENDAR

SUBJECT: A SERVICE AGREEMENT FOR SENIOR TRANSPORTATION SERVICES

RECOMMENDATION: That the City Council authorize the City Manager to execute a two-year Service Agreement (on file with the Records Management Department) with West End YMCA (Ontario/Montclair YMCA) located in Ontario, California, for a cumulative estimated cost of \$264,136; and authorize the addition of future service areas; and authorize the option to extend the agreement for up to one additional year consistent with the City Council approved budgets.

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

FISCAL IMPACT: The estimated annual base cost of the proposed service agreement is \$127,600 and \$136,536 for Fiscal Year 2017-18 and Fiscal Year 2018-19, respectively. The agreement covers program costs for drivers, dispatchers, customer service and administrative support, as well as vehicle operation and maintenance. Appropriations for the senior transportation services will be included in the Fiscal Year 2017-18 Proposed Operating Budget, if approved.

At the City's discretion, a one-year extension may be exercised and the optional year includes price increases of 5%. Future contracting actions will be commensurate with the City Council authorized work programs and budgets. Contracting for a multi-year period will allow the City to: limit the potential for yearly increases to the bid amounts; avoid the costs of re-bidding the contract annually, provide service continuity; and better project future costs.

BACKGROUND: For the last nine years, the City has contracted with the Ontario/Montclair YMCA to provide Senior Transportation Services that consists of door-to-door transport of Ontario's senior citizens to attend programs and activities within the City. The program operates Monday through Friday from 8:00 a.m. to 5:00 p.m. by reservation.

Based on FY 2016-17 statistics through April 2017, the program provided an average of 1,435 one-way trips per month, or about 720 round trips per month. Ridership averages 42+ per day with Thursdays

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

Prepared by: Stacy Orton
Department: Recreation and Community Svcs

City Manager
Approval: 

Submitted to Council/O.H.A. 06/20/2017

Approved: _____

Continued to: _____

Denied: _____

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increasing to 45+ persons due to high-demand programming at the Ontario Senior Center. Currently, the program ridership is approximately 180 individuals who use this service and continues to see “new” participants at the Senior Center through the services of the Senior Transportation Program.

CITY OF ONTARIO

Agenda Report
June 20, 2017

SECTION:
CONSENT CALENDAR

SUBJECT: AN AMENDMENT TO EXTEND THE PROFESSIONAL SERVICES AGREEMENT FOR BOOKING, JAIL AND TRANSPORT SERVICES

RECOMMENDATION: That the City Council authorize the City Manager to execute a three-year extension of the current professional services agreement (on file with the Records Management Department) with GEO Corrections and Detention, LLC, of Boca Raton, Florida, for booking, jail and transport services in support of the Police Department with an estimated total cost of \$1,581,358 for the three-year period.

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

FISCAL IMPACT: The estimated cost for the first year of service is \$511,617, \$526,966 for Fiscal Year 2018-19, and \$542,775 for Fiscal Year 2019-20. The City will be billed for actual services provided, in an amount not to exceed the total annual contract value. Appropriations for these services are included in the Police Department's baseline operating budget.

BACKGROUND: Booking, jail and transport services are used to reduce the amount of time spent by sworn officers transporting prisoners to the West Valley Detention Center. First implemented in 2006 as a result of a comprehensive Police Department staffing study, the outsourcing of these services has reduced thousands of hours per year that officers would have spent providing these services.

GEO Correction and Detention, LLC. (GEO), formerly Correctional Systems, Inc. (CSI), has provided these services to the City of Ontario since 2006. GEO has demonstrated the ability to provide quality and responsive services to meet the needs of the Police Department.

GEO meets the standards of the California Board of Corrections and is accredited with the American Correctional Association. Recent survey of other local law enforcement agencies has confirmed that GEO continues to set the standard for properly trained and qualified staff, and their services are consistently rated higher than their local competition.

STAFF MEMBER PRESENTING: Brad Kaylor, Chief of Police

Prepared by: Christine Booker
Department: Police Department

City Manager
Approval: 

Submitted to Council/O.H.A. 06/20/2017

Approved: _____

Continued to: _____

Denied: _____

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CITY OF ONTARIO

Agenda Report
June 20, 2017

SECTION:
CONSENT CALENDAR

SUBJECT: A MAINTENANCE SERVICE AGREEMENT FOR THE POLICE DEPARTMENT FIREARMS TRAINING FACILITY

RECOMMENDATION: That the City Council authorize the City Manager to execute a three-year maintenance services agreement (on file with the Records Management Department), with Hunter Consulting, Inc. dba HCI Environmental & Engineering Services, of Corona, California, for range cleaning and maintenance at an annual cost of \$37,277, or a total of \$111,831 for the term of the agreement.

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

FISCAL IMPACT: The annual cost for services is \$37,277 and will result in a total cost of \$111,831 over the three-year agreement term. Appropriations for these services are included in the Police Department's baseline annual operating budget.

BACKGROUND: HCI Environmental & Engineering Services has provided firearms training facility maintenance and cleaning for the Police Department since 2012. The work has been provided professionally, within budget, and their management has been flexible to work with Police Department staff in cleaning around activities and trainings at the Police Department facilities.

STAFF MEMBER PRESENTING: Brad Kaylor, Chief of Police

Prepared by: Christine Booker
Department: Police Department

City Manager
Approval: 

Submitted to Council/O.H.A. 06/20/2017

Approved: _____

Continued to: _____

Denied: _____

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CITY OF ONTARIO

Agenda Report
June 20, 2017

SECTION:
CONSENT CALENDAR

SUBJECT: PURCHASE OF A TACTICAL ARMORED VEHICLE

RECOMMENDATION: That the City Council authorize the City Manager to execute a sole source procurement with Ring Power Tactical Solutions, of St. Augustine, Florida, in the amount of \$340,000 (includes sales tax and contingency) for the purchase of a tactical armored vehicle.

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

FISCAL IMPACT: Appropriations from the Asset Seizure Fund for the purchase of an armored tactical vehicle were included in the Third Quarter Fiscal Year 2016-17 Budget Report approved by City Council on May 16, 2017. There is no impact to the General Fund.

BACKGROUND: The custom designed tactical armored vehicle, known as the Rook, will equip law enforcement officers in tactical situations that may include hostage rescue, barricaded suspects, riot scenes or natural disasters. Unlike traditional tactical armored vehicles, the Rook is designed with mission specific interchangeable attachments that may confront complex threats and make tactical operations safer.

Ring Power Tactical Solutions is the sole source manufacturer and marketer of the Rook and they will also provide a trailer and large capacity truck for towing the Rook.

The purchase of the Rook will enhance the regional response capabilities in the west end of San Bernardino County as a mutual aid resource for surrounding and regional agencies including highly populated visitor attractions and such as the Citizens Business Bank Arena, the Ontario Mills and the Ontario International Airport; as well as mass transportation corridor along the I-10, SR-60, and I-15 freeways.

STAFF MEMBER PRESENTING: Brad Kaylor, Police Chief

Prepared by: Donna Bailey
Department: Police

City Manager
Approval: 

Submitted to Council/O.H.A. 06/20/2017

Approved: _____

Continued to: _____

Denied: _____

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CITY OF ONTARIO

Agenda Report
June 20, 2017

SECTION:
CONSENT CALENDAR

SUBJECT: STATE OF CALIFORNIA DEPARTMENT OF ALCOHOLIC BEVERAGE CONTROL GRANT ASSISTANCE PROGRAM

RECOMMENDATION: That City Council authorize the City Manager to accept and execute grant documents to accept a 12-month grant for a maximum of \$37,914 to assist in funding overtime enforcement operations for the California Department of Alcoholic Beverage Control (ABC) to address alcohol-related problems in the community.

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

FISCAL IMPACT: The Ontario Police Department has been awarded \$37,914 from the ABC Grant Assistance Program. The grant will reimburse the City for overtime costs incurred while conducting field enforcement operations. The grant period is July 1, 2017 – June 30, 2018. The associated grant revenue and expenditure adjustments will be presented in the next Quarterly Budget Report to the City Council. The City is not required to provide matching funds for the grant award.

BACKGROUND: Funding for the ABC grant program is awarded to local law enforcement agencies through the California State Budget Act 2017. These grant funds are distributed by ABC to help agencies expand their present efforts in addressing alcohol-related problems at the point of sale using a combination of enforcement and prevention strategies, training, and community involvement. The grant requires a sworn officer to be appointed to the program, work directly with an ABC Investigator, and receive training in ABC alcohol enforcement strategies. This award is the seventh year (previously awarded in FY06-07, FY07-08, FY10-11, FY11-12, FY12-13 and FY13-14) that the Ontario Police Department has participated in the ABC enforcement program. Prior years have resulted in higher rates of business compliance, the closure of habitual non-compliant business offenders, and have made the City of Ontario Police Department a resource for law enforcement agencies throughout California.

STAFF MEMBER PRESENTING: Brad Kaylor, Chief of Police

Prepared by: Douglas Sorel
Department: Police

City Manager
Approval: 

Submitted to Council/O.H.A. 06/20/2017
Approved: _____
Continued to: _____
Denied: _____

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The proposed spending plan for the ABC grant is as follows:

• Personnel Overtime	\$35,314
• Travel/training	
- 2017 GAP Conference	2,500
• Operating Expenses	
- Buy money	<u>100</u>
TOTAL	<u><u>\$37,914</u></u>

CITY OF ONTARIO

Agenda Report
June 20, 2017

SECTION:
CONSENT CALENDAR

SUBJECT: PURCHASE OF AUTOMATED RESIDENTIAL COLLECTION CONTAINERS

RECOMMENDATION: That the City Council authorize the purchase of automated residential collection containers for an estimated amount of \$550,000 from Toter, Inc. of Statesville, North Carolina.

COUNCIL GOALS: Operate in a Businesslike Manner

FISCAL IMPACT: The Fiscal Year 2017-18 Proposed Operating Budget will include appropriations in the amount of \$450,000 from the Solid Waste Operating Fund and \$100,000 from the Solid Waste Impact Fund for the purchase of new and replacement residential automated collection containers.

Actual expenditures will be based on fixed unit pricing and the actual quantity of containers purchased in order to meet operational requirements. At the City's discretion, purchases may be extended for up to four (4) additional years consistent with City Council approved work programs and budgets, on a non-exclusive purchase basis. Pricing for each additional year will be negotiated, but will not exceed 5% escalation. There is no impact to the General Fund.

BACKGROUND: The Solid Waste Department provides residential automated collection containers to approximately 33,000 customers for refuse, recycling, and green waste collection. Currently, there are nearly 90,000 residential automated collection containers of various sizes in service. Approximately ten percent of the containers are replaced each year when they become damaged or are otherwise no longer of usable quality. Additionally, new residential customers are provided a set of new collection containers upon occupancy.

The criteria used to assess the proposals included the cost of the containers, production design, warranty, delivery lead time, and customer references. Staff recommends that this purchase be awarded to Toter, Inc. since their proposal received the highest overall rating by the evaluation team.

STAFF MEMBER PRESENTING: Scott Burton, Utilities General Manager

Prepared by: Randy Lazarus
Department: MU/Solid Waste

City Manager
Approval: 

Submitted to Council/O.H.A. 06/20/2017
Approved: _____
Continued to: _____
Denied: _____

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The City solicited proposals for this purchase and on April 27, 2017, the following vendors responded:

<u>Company</u>	<u>Location</u>
Toter, Inc.	Statesville, NC
Rehrig Pacific	Los Angeles, CA
Otto Environmental	Eloy, AZ
Schaefer Systems	Charlotte, NC

Toter, Inc. has been the primary supplier of automated residential collection containers to the City for the past 5 years. The Toter containers offer a unique “nestable” design that aids in the storage and delivery of the containers along with a manufacturing process that features a flexible construction material that greatly reduces breakage. Additionally, purchasing the Toter containers will help reduce the inventory of spare parts due to interchangeability and provide greater visual continuity within residential areas throughout the City.

CITY OF ONTARIO

Agenda Report
June 20, 2017

SECTION:
CONSENT CALENDAR

SUBJECT: AMENDMENT TO A COST SHARING AGREEMENT FOR THE CHINO BASIN WATER BANK FEASIBILITY REVIEW AND FOUNDATIONAL DOCUMENT DEVELOPMENT

RECOMMENDATION: That the City Council approve and authorize the City Manager to execute an amendment to the cost sharing agreement (on file with the Records Management Department), subject to non-substantive changes, with the Inland Empire Utilities Agency, Cucamonga Valley Water District and Monte Vista Water District for the Chino Basin Water Bank Feasibility Review and Foundational Document Development in the revised total amount of \$600,000 and each participating agency's proportionate share being \$150,000.

COUNCIL GOALS: Pursue City's Goals and Objectives by Working with Other Governmental Agencies

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

FISCAL IMPACT: The Fiscal Year 2016-17 budget includes appropriations from the Water Capital Fund for this project. The original contract included a total cost sharing amount of \$200,000 and a provision for anticipated increases in scope and required funding. The revised total recommended contract amount is \$600,000 and Ontario's share is \$150,000. There is no impact to the General Fund.

BACKGROUND: A majority of Ontario's water supply is groundwater from the Chino Basin. The Chino Basin is under the jurisdiction of a 1978 court ordered judgment and a series of subsequently approved agreements as administered by a court appointed Watermaster. One of the major commitments of the parties to the Chino Basin Judgment is the funding and ongoing implementation of an Optimum Basin Management Plan (OBMP) in order to maximize the public benefit of this precious resource. The OBMP includes elements such as water quality management, water storage management, developing supplemental supplies (such as imported water), developing water storage and recovery programs and partnering with various agencies to improve overall basin management.

STAFF MEMBER PRESENTING: Scott Burton, Utilities General Manager

Prepared by: Katie Gienger
Department: MU/Water Resources

City Manager
Approval: 

Submitted to Council/O.H.A. 06/20/2017

Approved: _____

Continued to: _____

Denied: _____

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The Chino Basin has a significant storage capacity which provides for greater water supply reliability to water rights holders such as the City of Ontario. Examples include the ability to store unused water rights over multiple years or to purchase excess imported water when available, hold the water in storage, and produce the groundwater in times of drought. One of the upcoming OBMP efforts is the development of a new Storage Management Plan. There is also the opportunity for municipalities within the Chino Basin parties to participate in a regional storage and recovery program called the Santa Ana Regional Conservation and Conjunctive Use Program (SARCCUP). Both efforts are in the early stages of implementation and require further due diligence and feasibility level assessment.

Staff recommends amending the existing cost-sharing agreement between several of the major Chino Basin water rights holders (Ontario, Cucamonga Valley Water District, Monte Vista Water District) and the Inland Empire Utilities Agency whose services include imported water supply and management of certain OBMP projects. The revised scope of services includes additional efforts related to developing and evaluating water storage/banking potential within the Chino Basin, including but not limited to technical, financial and governance considerations. The scope was expanded to include program management services for evaluating and developing the water bank framework, significant stakeholder outreach with surrounding municipalities and coordination with Watermaster and water rights holders within the Chino Basin. There is a provision for other parties to be added to the agreement by amendment, subject to approval of the original signatories, which could reduce Ontario's ultimate future cost share.