

**CITY OF ONTARIO  
CITY COUNCIL AND HOUSING AUTHORITY  
AGENDA  
OCTOBER 15, 2019**

**Paul S. Leon**  
Mayor

**Ruben Valencia**  
Mayor pro Tem

**Alan D. Wapner**  
Council Member

**Jim W. Bowman**  
Council Member

**Debra Dorst-Porada**  
Council Member



**Scott Ochoa**  
City Manager

**Scott E. Huber**  
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***

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

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

***CLOSED SESSION***

- GC 54956.8, CONFERENCE WITH REAL PROPERTY NEGOTIATORS  
Property: APN 0218-241-32, 9811 East Ontario Ranch Road; City/Authority Negotiator: Scott Ochoa or his designee; Negotiating parties: Ronald C. Pietersma and Kristine B. Pietersma, Trustees of The Ronald and Kristine Pietersma Family Trust and Loyola Properties I, L.P., a California limited partnership; Under negotiation: Price and terms of payment.

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

***PLEDGE OF ALLEGIANCE***

Council Member Debra Dorst-Porada

***INVOCATION***

Senior Pastor Randy Lanthripe, Church in the Valley

**REPORT ON CLOSED SESSION**

City Attorney

**PUBLIC COMMENTS**

**6:30 p.m.**

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

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

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

**CONSENT CALENDAR**

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

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

**1. APPROVAL OF MINUTES**

Minutes for the regular meeting of the City Council and Housing Authority of September 17, 2019, approving same as on file in the Records Management Department.

**2. BILLS/PAYROLL**

**Bills** August 31, 2019 through September 26, 2019 and **Payroll** September 1, 2019 through September 14, 2019, when audited by the Finance Committee.

**3. AN ORDINANCE APPROVING AN AMENDMENT TO THE CITY OF ONTARIO MUNICIPAL CODE, REVISING SECTIONS 3-1.113 AND 3-1.117, REGARDING BUSINESS LICENSE REGISTRATION TERMS**

That the City Council consider and adopt an ordinance approving an amendment to the City of Ontario Municipal Code, revising sections 3-1.113 and 3-1.117 to change the annual license renewal to expire at midnight on the anniversary of the date of the business start date rather than December 31 of each year.

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, AMENDING SECTIONS 3-1.113 AND 3-1.117 OF THE ONTARIO MUNICIPAL CODE REGARDING BUSINESS LICENSE REGISTRATION TERMS.

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

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

RESOLUTION NO. \_\_\_\_\_

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

**5. A CONSTRUCTION CONTRACT FOR PUBLIC IMPROVEMENTS AT THE SOUTHWEST CORNER OF SIXTH STREET AND MOUNTAIN AVENUE/SENITICA CONSTRUCTION, INC.**

That the City Council approve the plans and specifications and award a construction contract, Project No. MS-815 (on file in the Records Management Department) to Senitica Construction, Inc. of Mira Loma, California, for the public improvement project located on the southwest corner of Sixth Street and Mountain Avenue for the bid amount of \$268,647 plus a 15% contingency of \$40,297, for a total authorized amount of \$308,944; and authorize the City Manager to execute all related documents necessary and file a notice of completion at the conclusion of all construction related activities.

**6. AUTHORIZE THE PURCHASE OF FLEET VEHICLES/NATIONAL AUTO FLEET GROUP**

That the City Council authorize the cooperative purchase and delivery of one Chevrolet Police Tahoe in the amount of \$39,765, and one Ford Explorer in the amount of \$45,503 for the Police Department from National Auto Fleet Group of Watsonville, California, consistent with the terms and conditions of the Sourcewell (formerly known as NJPA) Cooperative Contract 120716-NAF for a total expenditure of \$85,268.

**7. STATE OF CALIFORNIA DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT (HCD) \$5 MILLION GRANT FOR LOW TO MODERATE-INCOME HOUSING**

That the City Council authorize the City Manager or his designee to execute any and all documents necessary for the acceptance of a \$5 million grant award (copy of the contract award 19-GFD-12996 is on file in the Records Management Department) and any future amendments associated with the agreement with the department of Housing and Community Development.

**8. ENTERPRISE LICENSE AGREEMENT FOR GIS SOFTWARE/ESRI, INC.**

That the City Council authorize the City Manager to execute a three-year citywide Enterprise License Agreement for GIS software with ESRI, Inc., of Redlands, California, in the amount for \$150,000 per year for a total of \$450,000.

**9. RADIO SYSTEM ACCESS AND MAINTENANCE AGREEMENT/COUNTY OF SAN BERNARDINO**

That the City Council approve and authorize the City Manager to execute a two-year radio system access and maintenance agreement (on file in the Records Management Department) with the County of San Bernardino for an annual estimated amount of \$993,134; and authorize the addition and update of operational necessary service levels and equipment consistent with City Council approved budgets; and authorize the City Manager to extend the agreement for up to five additional one-year periods in amounts consistent with City Council approved budgets for each respective fiscal year.

**10. PRE-AUTHORIZED LIST OF VENDORS TO PROVIDE SPECIALIZED PARTS AND EQUIPMENT FOR CITY FIBER OPTICS NETWORK**

That the City Council approve pre-authorized vendors to provide specialized parts and equipment for the construction and maintenance of the City Fiber Optics Network.

**11. A MAINTENANCE SERVICES AGREEMENT FOR STORM DRAIN MAINTENANCE SERVICES CITYWIDE/UNITED STORM WATER INC.**

That the City Council authorize the City Manager to execute a three-year Maintenance Agreement (on file in the Records Management Department) for Contract No. SM1920-1 with United Storm Water Inc., of Industry, California, for an annual estimated cost of \$111,197 plus a contingency of \$16,680; and authorize the 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.

**12. A RECYCLED WATER PURCHASE AGREEMENT BETWEEN THE CITY OF ONTARIO AND CUCAMONGA VALLEY WATER DISTRICT**

That the City Council approve and authorize the City Manager to execute a five-year agreement (on file in the Records Management Department) with Cucamonga Valley Water District (CVWD), subject to non-substantive changes, for the purchase of recycled water; and authorize extension of the agreement for five-year periods.

## PUBLIC HEARINGS

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

**13. A PUBLIC HEARING TO CONSIDER A PLANNED UNIT DEVELOPMENT (FILE NO. PUD18-001) TO ESTABLISH DEVELOPMENT STANDARDS AND GUIDELINES TO FACILITATE THE FUTURE DEVELOPMENT OF A HIGH DENSITY RESIDENTIAL APARTMENT PROJECT ON 0.102-ACRE OF LAND LOCATED AT 418 EAST TRANSIT STREET, WITHIN THE MU-1 (DOWNTOWN MIXED USE) ZONING DISTRICT (APN: 1049-067-04)**

That the City Council introduce and waive further reading of an ordinance approving a Planned Unit Development, File No. PUD18-001, establishing development standards and guidelines to facilitate the development of a high density residential apartment project at 418 East Transit Street.

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

Written communication.

Oral presentation.

Public hearing closed.

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING FILE NO. PUD18-001, A PLANNED UNIT DEVELOPMENT TO ESTABLISH DEVELOPMENT STANDARDS AND GUIDELINES TO FACILITATE THE DEVELOPMENT OF A HIGH DENSITY RESIDENTIAL APARTMENT PROJECT ON 0.102 ACRE OF LAND LOCATED AT 418 EAST TRANSIT STREET, WITHIN THE MU-1 (DOWNTOWN MIXED USE) ZONING DISTRICT, AND MAKING FINDINGS IN SUPPORT THEREOF—APN: 1049-067-04.

## STAFF MATTERS

City Manager Ochoa

**COUNCIL MATTERS**

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

**ADJOURNMENT**

**CITY OF ONTARIO**  
**CLOSED SESSION REPORT**  
City Council // Housing Authority // Other // (GC 54957.1)  
**October 15, 2019**

**ROLL CALL:** Valencia \_\_, Wapner \_\_, Bowman \_\_, Dorst-Porada\_\_, Mayor / Chairman Leon \_\_.

**STAFF:** City Manager / Executive Director \_\_, City Attorney \_\_

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

- GC 54956.8, CONFERENCE WITH REAL PROPERTY NEGOTIATORS  
Property: APN 0218-241-32, 9811 East Ontario Ranch Road; City/Authority Negotiator: Scott Ochoa or his designee; Negotiating parties: Ronald C. Pietersma and Kristine B. Pietersma, Trustees of The Ronald and Kristine Pietersma Family Trust and Loyola Properties I, L.P., a California limited partnership; Under negotiation: Price and terms of payment. 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  
October 15, 2019

SECTION:  
CONSENT CALENDAR

**SUBJECT: AN ORDINANCE APPROVING AN AMENDMENT TO THE CITY OF ONTARIO MUNICIPAL CODE, REVISING SECTIONS 3-1.113 AND 3-1.117, REGARDING BUSINESS LICENSE REGISTRATION TERMS**


**RECOMMENDATION:** That the City Council consider and adopt an ordinance approving an amendment to the City of Ontario Municipal Code, revising sections 3-1.113 and 3-1.117 to change the annual license renewal to expire at midnight on the anniversary of the date of the business start date rather than December 31 of each year.

**COUNCIL GOALS:** Operate in a Businesslike Manner

**FISCAL IMPACT:** If approved, business license renewals would take place daily, throughout the year. The current expirations of all licenses at December 31 results in additional personnel and overtime necessary to manage the large amount of renewals at a single point in time. There would therefore be a savings estimated to be at least \$30,400 each year to the General Fund.

**BACKGROUND:** On October 1, 2019 the City Council introduced and waived further reading of an ordinance approving an amendment to the Ontario Municipal Code. The City of Ontario currently sets business license terms from January 1 to December 31 of each year. This term results in every business license in the City to come up for renewal at the same time each year. Currently there are over 13,000 renewals sent out every year. Due to limited resources, the Revenue Services Department must employ additional personnel to manage the renewals as well as work an average of 10 hours of overtime per pay period for 3 months. Changing the renewal dates to coincide with the business' anniversary date would spread out the renewals more evenly over the year. This would allow the Revenue Services Department to handle the renewals efficiently with the resources they currently have.

**STAFF MEMBER PRESENTING:** Armen Harkalyan, Executive Director of Finance

Prepared by: Eileen Precie  
Department: Revenue Services  
City Manager Approval: 

Submitted to Council/O.H.A. 10/15/2019  
Approved: \_\_\_\_\_  
Continued to: \_\_\_\_\_  
Denied: \_\_\_\_\_

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ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, AMENDING SECTIONS 3-1.113 AND 3-1.117 OF THE ONTARIO MUNICIPAL CODE REGARDING BUSINESS LICENSE REGISTRATION TERMS.

WHEREAS, the City of Ontario currently sets business license terms from January 1 to December 31 of each year; and

WHEREAS, such term results in every business license in the City to come up for renewal at the same time each year; and

WHEREAS, due to limited resources, the Revenue Services Department must hire additional help to handle the renewals all at the same time; and

WHEREAS, spreading out the renewals over the year would allow the Revenue Services Department to handle the renewals efficiently with the resources they currently have; and

WHEREAS, business licenses in existence on November 30, 2019 shall be renewed on the anniversary date of the issuance of such license; and

WHEREAS, the renewals for existing licenses will be prorated for the amount of months between December 31, 2019 and the business start date anniversary.

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

SECTION 1. Section 3-1.113 of the Ontario Municipal Code is hereby amended to read as follows:

“Sec. 3-1.113. Term of business license.

(a) Every business license issued for a period of less than one year shall expire at midnight on the day that it was issued through.

(b) Every annual business license shall expire at midnight on the anniversary date of the business start date unless specified otherwise in this chapter.

SECTION 2. Section 3-1.117 of the Ontario Municipal Code is hereby amended to read as follows:

“Sec. 3-1.117. Penalties for late payment and non-payment.

For failure to pay a tax when due, the license collector shall add a penalty of twenty percent (20%) of the amount of such tax on the last calendar day of each following

month after the due date thereof. New businesses in the City who fail to secure a business license prior to opening for business shall add a penalty of twenty percent (20%) in addition to amount of the business license tax. In no event shall any penalty imposed hereunder exceed an amount equal to one hundred percent (100%) of such tax.”

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

SECTION 4. This Ordinance shall supersede all other previous City Council resolutions and ordinances that may conflict with, or be contrary to, this Ordinance.

SECTION 5. This Ordinance shall become effective thirty (30) calendar days after its adoption by the City Council.

SECTION 6. The Mayor shall sign this Ordinance and the City Clerk shall certify as to the adoption and shall cause a summary thereof to be published at least once, in a newspaper of general circulation in the City of Ontario, California within fifteen (15) days of the adoption. The City Clerk shall post a certified copy of this ordinance, including the vote for and against the same, in the Office of the City Clerk, in accordance with Government Code Section 36933.

PASSED, APPROVED, AND ADOPTED this 15<sup>th</sup> day of October 2019.

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PAUL S. LEON, MAYOR

ATTEST:

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SHEILA MAUTZ, CITY CLERK

APPROVED AS TO FORM:

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COLE HUBER, LLP  
CITY ATTORNEY

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

I, SHEILA MAUTZ, City Clerk of the City of Ontario, DO HEREBY CERTIFY that foregoing Ordinance No. 3144 was duly introduced at a regular meeting of the City Council of the City of Ontario held October 1, 2019 and adopted at the regular meeting held October 15, 2019 by the following roll call vote, to wit:

AYES:            COUNCIL MEMBERS:

NOES:           COUNCIL MEMBERS:

ABSENT:        COUNCIL MEMBERS:

\_\_\_\_\_  
SHEILA MAUTZ, CITY CLERK

(SEAL)

I hereby certify that the foregoing is the original of Ordinance No. 3144 duly passed and adopted by the Ontario City Council at their regular meeting held October 15, 2019 and that Summaries of the Ordinance were published on October 8, 2019 and October 22, 2019, in the Inland Valley Daily Bulletin newspaper.

\_\_\_\_\_  
SHEILA MAUTZ, CITY CLERK

(SEAL)

# CITY OF ONTARIO

Agenda Report  
October 15, 2019

SECTION:  
CONSENT CALENDAR

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


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

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

**FISCAL IMPACT:** The levy of special assessments will result in the recovery of \$43,933 in costs that the City has expended for inspection or abatement of property violations, as well as the collection of \$16,580 associated with civil penalties and/or fines for continued violations, for a total of \$60,513 related to 100 parcels. When received, these reimbursements will be deposited into the General Fund.

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

**STAFF MEMBER PRESENTING:** Julie Bjork, Executive Director Housing & Neighborhood Preservation

Prepared by: Erin Bonett  
Department: Community Improvement  
City Manager Approval: 

Submitted to Council/O.H.A. 10/15/2019  
Approved: \_\_\_\_\_  
Continued to: \_\_\_\_\_  
Denied: \_\_\_\_\_

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This assessment cycle, the Community Improvement Department has billed property owners for the abatement of violations, the issuance of fines associated with administrative citations, the issuance of fees and penalties associated with the Systematic Health and Safety Inspection Program, the issuance of registration fees and civil penalties associated with the Abandoned and Distressed Property Program, and the issuance of notice and re-inspection fees as well as civil penalties for the Weed and Refuse Abatement Program on 213 parcels. Of this, there are remaining amounts due on 100 parcels. Attached are itemized accounts of: (1) costs associated with inspection or abatement as shown in Exhibit A of the resolution; (2) civil penalties and/or fines for continued violations as shown in Exhibit B of the resolution; and (3) total amounts per parcel as shown in Exhibit C of the resolution. The expenditure list, with any necessary corrections and adjustments, will be submitted to the County prior to August 2020 for its 2020-2021 tax rolls.

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

RESOLUTION NO. \_\_\_\_\_

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

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

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

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

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

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

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

WHEREAS, Ordinance No. 2920, provides for the assessment of civil penalties for continued violations of the Ontario Municipal Code (Title 1, Chapter 2 of the Ontario Municipal Code), and for fines associated with administrative citations to be collected by Special Assessment (Title 1, Chapter 5 of the Ontario Municipal Code),



and establishes a uniform procedure before imposing such Special Assessments (Title 1, Chapter 4 of the Ontario Municipal Code); and

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

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

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

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

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

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

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

PASSED, APPROVED, AND ADOPTED this 15<sup>th</sup> day of October 2019.

\_\_\_\_\_  
PAUL S. LEON, MAYOR

ATTEST:

\_\_\_\_\_  
SHEILA MAUTZ, CITY CLERK

APPROVED AS TO LEGAL FORM:

\_\_\_\_\_  
COLE HUBER, 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. 2019-     was duly passed and adopted by the City Council of the City of Ontario at their regular meeting held October 15, 2019 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. 2019-     duly passed and adopted by the Ontario City Council at their regular meeting held October 15, 2019.

\_\_\_\_\_  
SHEILA MAUTZ, CITY CLERK

(SEAL)

**City of Ontario**  
**Community Improvement Department**  
**2020/2021 Tax Roll Year Special Assessments**  
**Exhibit A - Costs Associated with Inspection or Abatement**

<b>Parcel Number</b>	<b>Address</b>	<b>Amount Due</b>
0108-304-24	1364 E BONNIE BRAE ST, Ontario, CA 91764	89.05
0108-401-02	1851 N DEL NORTE AV, Ontario, CA 91764	149.00
0108-412-07	1747 N EL DORADO AV, Ontario, CA 91764	120.05
0108-493-13	1504 N MADERA AV, Ontario, CA 91764	982.50
0108-532-08	1688 E FIFTH ST, Ontario, CA 91764	755.06
0108-541-04	1205 N CORONA AV, Ontario, CA 91764	215.65
0110-061-01	1375 E HOLT BL, Ontario, CA 91761	1,521.05
0110-071-02	1389 E HOLT BL, Ontario, CA 91761	199.00
0110-071-06	1381 E HOLT BL, Ontario, CA 91761	50.00
0110-202-22	1311 E FRESNO ST, Ontario, CA 91764	645.34
0110-321-72	0 E INLAND EMPIRE BL, Ontario, CA 91764	309.00
0110-321-73	0 E INLAND EMPIRE BL, Ontario, CA 91764	309.00
0110-412-12	1642 E FLORA ST, Ontario, CA 91764	231.05
0113-211-06	1247 E AIRPORT DR, Ontario, CA 91761	149.00
0113-211-07	1255 E AIRPORT DR, Ontario, CA 91761	149.00
0113-414-14	1607 S BAKER AV, Ontario, CA 91761	110.00
0113-451-18	1336 E FRANCIS ST, Building:1, Ontario, CA 91761	101.55
0113-501-01	2812 S DIVERSA DR, Ontario, CA 91761	269.05
0113-502-06	2840 S DIVERSA DR, Ontario, CA 91761	101.55
0209-331-18	1902 E DEODAR ST, Ontario, CA 91764	138.55
0210-331-56	1306 N DEL RIO WY, Ontario, CA 91764	263.17
0216-491-50	1419 E RIVERSIDE DR, Ontario, CA 91761	330.55
0218-161-11	0 S MILL CK, Ontario, CA 91761	50.00
0218-372-76	0 S SCE EASEMENT, Ontario, CA 91761	50.00
0218-372-77	0 S SCE EASEMENT, Ontario, CA 91761	50.00
0218-382-72	0 E SCE EASEMENT, Ontario, CA 91761	2,131.05
0238-012-30	5060 E FOURTH ST, Ontario, CA 91764	1,557.55
1010-121-31	1105 W BERKELEY CT, Ontario, CA 91762	149.00
1010-441-06	1236 W F ST, Ontario, CA 91762	195.05
1010-512-12	1005 W HOLLOWELL ST, Ontario, CA 91762	1,082.36
1010-521-09	1141 W D ST, Unit:A, Ontario, CA 91762	725.00
1011-401-27	1031 S PALMETTO AV, Building:S, Unit:4, Ontario, CA 91762	144.00
1014-121-27	1315 S DAHLIA AV, Ontario, CA 91762	1,239.12
1014-181-18	1740 S BRIAR AV, Ontario, CA 91762	707.05
1014-421-08	1853 S BENSON AV, Ontario, CA 91762	120.05
1014-431-25	1429 W FRANCIS ST, Ontario, CA 91762	149.00
1014-472-94	1017 W FRANCIS ST, Ontario, CA 91762	221.60
1014-541-09	2064 S MAGNOLIA AV, Ontario, CA 91762	149.00
1014-561-11	2155 S HELEN AV, Ontario, CA 91762	136.65
1014-571-27	2039 S HELEN AV, Ontario, CA 91762	157.05
1047-394-20	813 E LA DENEY CT, Ontario, CA 91764	149.00

**City of Ontario**  
**Community Improvement Department**  
**2020/2021 Tax Roll Year Special Assessments**  
**Exhibit A - Costs Associated with Inspection or Abatement**

<b>Parcel Number</b>	<b>Address</b>	<b>Amount Due</b>
1047-424-61	0 E COMMON AREA, Ontario, CA 91764	149.00
1048-022-34	1010 N SAN ANTONIO AV, Ontario, CA 91762	638.05
1048-064-18	329 E J ST, Ontario, CA 91764	240.10
1048-093-04	622 E FOURTH ST, Ontario, CA 91764	649.75
1048-093-26	627 E J ST, Ontario, CA 91764	619.85
1048-113-22	815 E I ST, Ontario, CA 91764	582.50
1048-201-13	750 E EL MORADO CT, Ontario, CA 91764	231.05
1048-213-18	739 E H ST, Ontario, CA 91764	231.05
1048-283-26	611 W EL MORADO CT, Ontario, CA 91762	149.00
1048-332-28	424 N BEVERLY SQ, Ontario, CA 91762	931.61
1048-381-04	526 E G ST, Ontario, CA 91764	1,125.69
1048-393-22	513 E D ST, Ontario, CA 91764	149.00
1048-503-06	345 N BERLYN AV, Ontario, CA 91761	149.00
1048-511-01	136 N CAMPUS AV, Ontario, CA 91761	1,526.90
1048-512-22	717 E HOLT BL, Ontario, CA 91761	497.23
1049-011-10	765 W BROOKS ST, Ontario, CA 91762	149.00
1049-021-07	561 W HOLT BL, Ontario, CA 91762	296.05
1049-141-24	1194 E HOLT BL, Ontario, CA 91761	945.05
1049-193-01	509 S BON VIEW AV, Ontario, CA 91761	110.00
1049-232-20	560 E PARK ST, Ontario, CA 91761	2,284.71
1049-233-03	636 E STATE ST, Ontario, CA 91761	999.15
1049-384-09	930 S GROVE AV, Ontario, CA 91761	50.00
1049-532-10	220 E ACACIA ST, Ontario, CA 91761	164.49
1049-571-16	1028 S OAKLAND AV, Ontario, CA 91762	257.85
1049-591-27	612 W PHILLIPS ST, Ontario, CA 91762	406.60
1050-024-07	612 W ZENIA CT, Ontario, CA 91762	149.00
1050-061-06	311 W ELM ST, Ontario, CA 91762	149.00
1050-081-14	207 E BUDD ST, Ontario, CA 91761	665.44
1050-101-23	630 E DE ANZA ST, Ontario, CA 91761	91.35
1050-251-01	1727 S EUCLID AV, Ontario, CA 91761	1,334.82
1050-272-01	1658 S EUCLID AV, Ontario, CA 91762	199.00
1050-272-20	1652 S EUCLID AV, Ontario, CA 91762	3,576.41
1050-371-01	1845 S FERN AV, Ontario, CA 91762	1,710.93
1050-381-06	1930 S EUCLID AV, Ontario, CA 91762	149.00
1050-401-11	220 E FRANCIS ST, Ontario, CA 91761	149.00
1050-614-02	2112 S FERN AV, Ontario, CA 91762	567.94
1050-632-33	2045 S CYPRESS AV, Ontario, CA 91762	1,603.55
1050-641-11	2115 S CYPRESS AV, Ontario, CA 91762	149.00
1051-171-41	2424 S GROVE AV, Ontario, CA 91761	945.05
1051-201-65	661 E FAIRFIELD CT, Ontario, CA 91761	149.00
1051-331-67	2621 S MARIGOLD AV, Ontario, CA 91761	638.05

**City of Ontario**  
**Community Improvement Department**  
**2020/2021 Tax Roll Year Special Assessments**  
**Exhibit A - Costs Associated with Inspection or Abatement**

<b>Parcel Number</b>	<b>Address</b>	<b>Amount Due</b>
1052-191-03	7716 E CHINO AV, Ontario, CA 91761	392.08
1053-071-03	0 E SCHAEFER AV, Ontario, CA 91761	199.00
1053-071-04	0 S EUCLID AV, Ontario, CA 91761	199.00
1083-071-20	0 S ARCHIBALD AV, Ontario, CA 91761	1,032.55
		<b>43,932.55</b>

**City of Ontario**  
**Community Improvement Department**  
**2020/2021 Tax Roll Year Special Assessments**  
**Exhibit B - Civil Penalties and/or Fines for Continued Violations**

<b>Parcel Number</b>	<b>Address</b>	<b>Amount Due</b>
0108-401-35	1737 N AMADOR AV, Ontario, CA 91764	120.00
0108-563-10	1749 E YALE ST, Ontario, CA 91764	170.00
0110-061-01	1375 E HOLT BL, Ontario, CA 91761	500.00
0110-071-02	1389 E HOLT BL, Ontario, CA 91761	500.00
0110-071-06	1381 E HOLT BL, Ontario, CA 91761	500.00
0110-144-01	720 N MADERA AV, Ontario, CA 91764	340.00
0110-161-19	903 N CALAVERAS AV, Ontario, CA 91764	170.00
0110-321-72	0 E INLAND EMPIRE BL, Ontario, CA 91764	500.00
0110-321-73	0 E INLAND EMPIRE BL, Ontario, CA 91764	500.00
0110-513-19	751 N BAKER AV, Ontario, CA 91764	320.00
0216-401-63	2450 S VINEYARD AV, Building:1, Ontario, CA 91761	420.00
0218-161-11	0 S MILL CK, Ontario, CA 91761	500.00
0218-372-76	0 S SCE EASEMENT, Ontario, CA 91761	500.00
0218-372-77	0 S SCE EASEMENT, Ontario, CA 91761	500.00
0218-382-72	0 E SCE EASEMENT, Ontario, CA 91761	500.00
0238-012-30	5060 E FOURTH ST, Ontario, CA 91764	500.00
1008-421-09	1312 N BENSON AV, Ontario, CA 91762	340.00
1008-421-10	1318 N BENSON AV, Ontario, CA 91762	340.00
1010-512-12	1005 W HOLLOWELL ST, Ontario, CA 91762	840.00
1011-191-03	534 S MOUNTAIN AV, Building:3, Ontario, CA 91762	220.00
1014-121-27	1315 S DAHLIA AV, Ontario, CA 91762	500.00
1047-424-61	0 E COMMON AREA, Ontario, CA 91764	120.00
1048-431-38	527 N CUCAMONGA AV, Ontario, CA 91764	520.00
1049-141-24	1194 E HOLT BL, Ontario, CA 91761	500.00
1049-232-20	560 E PARK ST, Ontario, CA 91761	500.00
1049-334-03	919 S VINE AV, Ontario, CA 91762	120.00
1049-384-09	930 S GROVE AV, Ontario, CA 91761	500.00
1050-272-01	1658 S EUCLID AV, Ontario, CA 91762	500.00
1050-272-20	1652 S EUCLID AV, Ontario, CA 91762	500.00
1050-371-01	1845 S FERN AV, Ontario, CA 91762	500.00
1051-171-41	2424 S GROVE AV, Ontario, CA 91761	500.00
1051-331-67	2621 S MARIGOLD AV, Ontario, CA 91761	760.00
1052-191-03	7716 E CHINO AV, Ontario, CA 91761	520.00
1052-251-01	0 E CHINO AV, Ontario, CA 91761	520.00
1053-071-03	0 E SCHAEFER AV, Ontario, CA 91761	500.00
1053-071-04	0 S EUCLID AV, Ontario, CA 91761	500.00
1083-071-20	0 S ARCHIBALD AV, Ontario, CA 91761	500.00
1083-131-47	3113 E WHITE STAG RD, Ontario, CA 91761	120.00
1083-211-14	2784 E COTTONWOOD TR, Ontario, CA 91761	120.00

**16,580.00**

**City of Ontario  
Community Improvement Department  
2020/2021 Tax Roll Year Special Assessments  
Exhibit C - Total Amounts per Parcel**

<b>Parcel Number</b>	<b>Address</b>	<b>Amount Due</b>
0108-304-24	1364 E BONNIE BRAE ST, Ontario, CA 91764	89.05
0108-401-02	1851 N DEL NORTE AV, Ontario, CA 91764	149.00
0108-401-35	1737 N AMADOR AV, Ontario, CA 91764	120.00
0108-412-07	1747 N EL DORADO AV, Ontario, CA 91764	120.05
0108-493-13	1504 N MADERA AV, Ontario, CA 91764	982.50
0108-532-08	1688 E FIFTH ST, Ontario, CA 91764	755.06
0108-541-04	1205 N CORONA AV, Ontario, CA 91764	215.65
0108-563-10	1749 E YALE ST, Ontario, CA 91764	170.00
0110-061-01	1375 E HOLT BL, Ontario, CA 91761	2,021.05
0110-071-02	1389 E HOLT BL, Ontario, CA 91761	699.00
0110-071-06	1381 E HOLT BL, Ontario, CA 91761	550.00
0110-144-01	720 N MADERA AV, Ontario, CA 91764	340.00
0110-161-19	903 N CALAVERAS AV, Ontario, CA 91764	170.00
0110-202-22	1311 E FRESNO ST, Ontario, CA 91764	645.34
0110-321-72	0 E INLAND EMPIRE BL, Ontario, CA 91764	809.00
0110-321-73	0 E INLAND EMPIRE BL, Ontario, CA 91764	809.00
0110-412-12	1642 E FLORA ST, Ontario, CA 91764	231.05
0110-513-19	751 N BAKER AV, Ontario, CA 91764	320.00
0113-211-06	1247 E AIRPORT DR, Ontario, CA 91761	149.00
0113-211-07	1255 E AIRPORT DR, Ontario, CA 91761	149.00
0113-414-14	1607 S BAKER AV, Ontario, CA 91761	110.00
0113-451-18	1336 E FRANCIS ST, Building:1, Ontario, CA 91761	101.55
0113-501-01	2812 S DIVERSA DR, Ontario, CA 91761	269.05
0113-502-06	2840 S DIVERSA DR, Ontario, CA 91761	101.55
0209-331-18	1902 E DEODAR ST, Ontario, CA 91764	138.55
0210-331-56	1306 N DEL RIO WY, Ontario, CA 91764	263.17
0216-401-63	2450 S VINEYARD AV, Building:1, Ontario, CA 91761	420.00
0216-491-50	1419 E RIVERSIDE DR, Ontario, CA 91761	330.55
0218-161-11	0 S MILL CK, Ontario, CA 91761	550.00
0218-372-76	0 S SCE EASEMENT, Ontario, CA 91761	550.00
0218-372-77	0 S SCE EASEMENT, Ontario, CA 91761	550.00
0218-382-72	0 E SCE EASEMENT, Ontario, CA 91761	2,631.05
0238-012-30	5060 E FOURTH ST, Ontario, CA 91764	2,057.55
1008-421-09	1312 N BENSON AV, Ontario, CA 91762	340.00
1008-421-10	1318 N BENSON AV, Ontario, CA 91762	340.00
1010-121-31	1105 W BERKELEY CT, Ontario, CA 91762	149.00
1010-441-06	1236 W F ST, Ontario, CA 91762	195.05
1010-512-12	1005 W HOLLOWELL ST, Ontario, CA 91762	1,922.36
1010-521-09	1141 W D ST, Unit:A, Ontario, CA 91762	725.00
1011-191-03	534 S MOUNTAIN AV, Building:3, Ontario, CA 91762	220.00
1011-401-27	1031 S PALMETTO AV, Building:S, Unit:4, Ontario, CA 91762	144.00



**City of Ontario  
Community Improvement Department  
2020/2021 Tax Roll Year Special Assessments  
Exhibit C - Total Amounts per Parcel**

<b>Parcel Number</b>	<b>Address</b>	<b>Amount Due</b>
1014-121-27	1315 S DAHLIA AV, Ontario, CA 91762	1,739.12
1014-181-18	1740 S BRIAR AV, Ontario, CA 91762	707.05
1014-421-08	1853 S BENSON AV, Ontario, CA 91762	120.05
1014-431-25	1429 W FRANCIS ST, Ontario, CA 91762	149.00
1014-472-94	1017 W FRANCIS ST, Ontario, CA 91762	221.60
1014-541-09	2064 S MAGNOLIA AV, Ontario, CA 91762	149.00
1014-561-11	2155 S HELEN AV, Ontario, CA 91762	136.65
1014-571-27	2039 S HELEN AV, Ontario, CA 91762	157.05
1047-394-20	813 E LA DENEY CT, Ontario, CA 91764	149.00
1047-424-61	0 E COMMON AREA, Ontario, CA 91764	269.00
1048-022-34	1010 N SAN ANTONIO AV, Ontario, CA 91762	638.05
1048-064-18	329 E J ST, Ontario, CA 91764	240.10
1048-093-04	622 E FOURTH ST, Ontario, CA 91764	649.75
1048-093-26	627 E J ST, Ontario, CA 91764	619.85
1048-113-22	815 E I ST, Ontario, CA 91764	582.50
1048-201-13	750 E EL MORADO CT, Ontario, CA 91764	231.05
1048-213-18	739 E H ST, Ontario, CA 91764	231.05
1048-283-26	611 W EL MORADO CT, Ontario, CA 91762	149.00
1048-332-28	424 N BEVERLY SQ, Ontario, CA 91762	931.61
1048-381-04	526 E G ST, Ontario, CA 91764	1,125.69
1048-393-22	513 E D ST, Ontario, CA 91764	149.00
1048-431-38	527 N CUCAMONGA AV, Ontario, CA 91764	520.00
1048-503-06	345 N BERLYN AV, Ontario, CA 91761	149.00
1048-511-01	136 N CAMPUS AV, Ontario, CA 91761	1,526.90
1048-512-22	717 E HOLT BL, Ontario, CA 91761	497.23
1049-011-10	765 W BROOKS ST, Ontario, CA 91762	149.00
1049-021-07	561 W HOLT BL, Ontario, CA 91762	296.05
1049-141-24	1194 E HOLT BL, Ontario, CA 91761	1,445.05
1049-193-01	509 S BON VIEW AV, Ontario, CA 91761	110.00
1049-232-20	560 E PARK ST, Ontario, CA 91761	2,784.71
1049-233-03	636 E STATE ST, Ontario, CA 91761	999.15
1049-334-03	919 S VINE AV, Ontario, CA 91762	120.00
1049-384-09	930 S GROVE AV, Ontario, CA 91761	550.00
1049-532-10	220 E ACACIA ST, Ontario, CA 91761	164.49
1049-571-16	1028 S OAKLAND AV, Ontario, CA 91762	257.85
1049-591-27	612 W PHILLIPS ST, Ontario, CA 91762	406.60
1050-024-07	612 W ZENIA CT, Ontario, CA 91762	149.00
1050-061-06	311 W ELM ST, Ontario, CA 91762	149.00
1050-081-14	207 E BUDD ST, Ontario, CA 91761	665.44
1050-101-23	630 E DE ANZA ST, Ontario, CA 91761	91.35
1050-251-01	1727 S EUCLID AV, Ontario, CA 91761	1,334.82

**City of Ontario**  
**Community Improvement Department**  
**2020/2021 Tax Roll Year Special Assessments**  
**Exhibit C - Total Amounts per Parcel**

<b>Parcel Number</b>	<b>Address</b>	<b>Amount Due</b>
1050-272-01	1658 S EUCLID AV, Ontario, CA 91762	699.00
1050-272-20	1652 S EUCLID AV, Ontario, CA 91762	4,076.41
1050-371-01	1845 S FERN AV, Ontario, CA 91762	2,210.93
1050-381-06	1930 S EUCLID AV, Ontario, CA 91762	149.00
1050-401-11	220 E FRANCIS ST, Ontario, CA 91761	149.00
1050-614-02	2112 S FERN AV, Ontario, CA 91762	567.94
1050-632-33	2045 S CYPRESS AV, Ontario, CA 91762	1,603.55
1050-641-11	2115 S CYPRESS AV, Ontario, CA 91762	149.00
1051-171-41	2424 S GROVE AV, Ontario, CA 91761	1,445.05
1051-201-65	661 E FAIRFIELD CT, Ontario, CA 91761	149.00
1051-331-67	2621 S MARIGOLD AV, Ontario, CA 91761	1,398.05
1052-191-03	7716 E CHINO AV, Ontario, CA 91761	912.08
1052-251-01	0 E CHINO AV, Ontario, CA 91761	520.00
1053-071-03	0 E SCHAEFER AV, Ontario, CA 91761	699.00
1053-071-04	0 S EUCLID AV, Ontario, CA 91761	699.00
1083-071-20	0 S ARCHIBALD AV, Ontario, CA 91761	1,532.55
1083-131-47	3113 E WHITE STAG RD, Ontario, CA 91761	120.00
1083-211-14	2784 E COTTONWOOD TR, Ontario, CA 91761	120.00
<b>100</b>		<b>60,512.55</b>

# CITY OF ONTARIO

Agenda Report  
October 15, 2019

SECTION:  
CONSENT CALENDAR

**SUBJECT: A CONSTRUCTION CONTRACT FOR PUBLIC IMPROVEMENTS AT THE SOUTHWEST CORNER OF SIXTH STREET AND MOUNTAIN AVENUE**


**RECOMMENDATION:** That the City Council approve the plans and specifications and award a construction contract, Project No. MS-815 (on file in the Records Management Department) to Senitica Construction, Inc. of Mira Loma, California, for the public improvement project located on the southwest corner of Sixth Street and Mountain Avenue for the bid amount of \$268,647 plus a 15% contingency of \$40,297, for a total authorized amount of \$308,944; and authorize the City Manager to execute all related documents necessary and file a notice of completion at the conclusion of all construction related activities.

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

**FISCAL IMPACT:** The Fiscal Year 2018-19 Budget includes project savings totaling \$235,517 in the Capital Projects Fund and \$51,300 in the Gas Tax Fund related to projects that were completed under budget. If approved, appropriations of \$235,517 from the Capital Projects Fund and \$73,427 from the Gas Tax Fund will be included in the FY 2019-20 First Quarter Budget Update Report to the City Council. The recommended contract authorization is \$268,647 plus a 15% contingency of \$40,297 for a total amount of \$308,944.

**BACKGROUND:** The scope of services for the Public Improvements at the Southwest Corner of Sixth Street and Mountain Avenue Project (Project No. MS-815) consists of removal of existing pavement, construction of full-width street improvements to include: eight (8) parallel parking stalls, signing and striping, concrete curb, sidewalk, wheel chair ramps, commercial driveways, and street lights. This improvement project will establish a functional vehicular and pedestrian connection between the existing Edwards Cinema project at the northwest corner of Mountain Avenue and Sixth Street and the existing shopping center anchored by Walmart on Mountain Avenue on the south side of Sixth Street.

**STAFF MEMBER PRESENTING:** John P. Andrews, Executive Director Economic Development

Prepared by: Charity Hernandez  
Department: Economic Development  
City Manager Approval: 

Submitted to Council/O.H.A. 10/15/2019  
Approved: \_\_\_\_\_  
Continued to: \_\_\_\_\_  
Denied: \_\_\_\_\_

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In September 2019, the City solicited bids for this project; and four bids were received. The bid results are:

<b>COMPANY</b>	<b>LOCATION</b>	<b>AMOUNT</b>
Senitica Construction, Inc.	Mira Loma , CA	\$268,647
Vido Samarzich, Inc.	Alta Loma, CA	\$277,000
Gentry Brothers, Inc.	Irwindale, CA	\$285,426
Onyx Paving Company, Inc.	Anaheim, CA	\$321,000

Senitica Construction, Inc. submitted the lowest responsive bid. Senitica Construction, Inc. has previously performed similar work for the City of Ontario in a satisfactory manner.

**ENVIRONMENTAL REVIEW:** The environmental impacts of this project were reviewed, and staff has determined that the project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA), pursuant to § 15301 (Class 1, Existing Facilities) of the State CEQA Guidelines.

# CITY OF ONTARIO

Agenda Report  
October 15, 2019

SECTION:  
CONSENT CALENDAR

**SUBJECT: AUTHORIZE THE PURCHASE OF FLEET VEHICLES**

**RECOMMENDATION:** That the City Council authorize the cooperative purchase and delivery of one Chevrolet Police Tahoe in the amount of \$39,765, and one Ford Explorer in the amount of \$45,503 for the Police Department from National Auto Fleet Group of Watsonville, California, consistent with the terms and conditions of the Sourcewell (formerly known as NJPA) Cooperative Contract 120716-NAF for a total expenditure of \$85,268.

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

**FISCAL IMPACT:** The Fiscal Year 2018-19 Adopted Operating Budget included appropriations in the amount of \$39,765 for the purchase of an additional vehicle from the General Fund for the Police Airport Operations Bureau. These appropriations will be carried forward and included in the FY 2019-20 First Quarter Budget Update Report to the City Council. Additionally, the Fiscal Year 2019-20 Adopted Operating Budget includes appropriations of \$45,503 in the Equipment Services Fund for replacement of the Ford Explorer. The total cost of the vehicles recommended for purchase is \$85,268.

**BACKGROUND:** In coordination with the development of Ontario International Airport, a Police Supervisor Tahoe for the Airport Operation Bureau is being purchased, along with the replacement of one vehicle for the Police Department that has reached its maximum useful life cycle and is no longer cost effective to maintain. It is scheduled for replacement pursuant to ongoing efforts to reduce expenses, maximize useful life expectancy and extend replacement cycles of fleet equipment, while ensuring safe and reliable operations. This procurement action will result in the replaced vehicle being available to surplus, with any auction sale proceeds returning to the Equipment Services Fund.

In general conformance with the provisions of Government Code Section 54201 through 54204, Ontario Municipal Code Section 2-6.11(b)(3), allows for the purchase of supplies and equipment through cooperative purchasing with another governmental agency. Cooperative purchasing allows the City to

**STAFF MEMBER PRESENTING:** Tito Haes, Executive Director Public Works

Prepared by: Michael Johnson  
Department: Municipal Services

City Manager  
Approval: 

Submitted to Council/O.H.A. 10/15/2019

Approved: \_\_\_\_\_

Continued to: \_\_\_\_\_

Denied: \_\_\_\_\_

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pool its procurement power with other public agencies to obtain pricing lower than otherwise might be possible.

Staff recommends the cooperative purchase and delivery of one Chevrolet Police Tahoe in the amount of \$39,765, and one Ford Explorer in the amount of \$45,503 for the Police Department from National Auto Fleet Group of Watsonville, California consistent with the terms and conditions of the Sourcewell (formerly known as NJPA) Cooperative Contract 120716-NAF.

# CITY OF ONTARIO

Agenda Report  
October 15, 2019

SECTION:  
CONSENT CALENDAR

**SUBJECT: STATE OF CALIFORNIA DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT (HCD) \$5 MILLION GRANT FOR LOW TO MODERATE-INCOME HOUSING**

**RECOMMENDATION:** That the City Council authorize the City Manager or his designee to execute any and all documents necessary for the acceptance of a \$5 million grant award (copy of the contract award 19-GFD-12996 is on file in the Records Management Department) and any future amendments associated with the agreement with the department of Housing and Community Development.

**COUNCIL GOALS:** Pursue City's Goals and Objectives by Working with Other Governmental Agencies  
Focus Resources in Ontario's Commercial and Residential Neighborhoods

**FISCAL IMPACT:** The City of Ontario has been awarded \$5 million as part of the 2019-20 California Budget Act for the development of low- to moderate-income housing. Revenue and corresponding expenditure appropriations, if approved, will be included in the next quarterly budget report to the City Council.

**BACKGROUND:** The City of Ontario was awarded \$5 million to help finance workforce housing in the downtown area. These funds were allocated to the City of Ontario as part of the State of California's 2019-2020 Budget Act. The grant terms end on June 30, 2020.

This grant builds upon the \$33 million Transformative Climate Communities (TCC) grant that the City received from the California Strategic Growth Council in 2018. As part of City-led efforts to revitalize Ontario's historic downtown, these funds will further efforts to bring a variety of housing options to the downtown core to create a more vibrant downtown.

**STAFF MEMBER PRESENTING:** Julie Bjork, Executive Director Housing & Neighborhood Preservation

Prepared by: Julie Bjork  
Department: Housing and Neighborhood Preservation

City Manager Approval: 

Submitted to Council/O.H.A. 10/15/2019  
Approved: \_\_\_\_\_

Continued to: \_\_\_\_\_

Denied: \_\_\_\_\_

# CITY OF ONTARIO

Agenda Report  
October 15, 2019

SECTION:  
CONSENT CALENDAR

**SUBJECT: ENTERPRISE LICENSE AGREEMENT FOR GIS SOFTWARE**

**RECOMMENDATION:** That the City Council authorize the City Manager to execute a three-year citywide Enterprise License Agreement for GIS software with ESRI, Inc., of Redlands, California, in the amount for \$150,000 per year for a total of \$450,000.

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


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

**FISCAL IMPACT:** The City's recurring baseline operating budget includes appropriations of \$150,000 in the Information Technology Fund for annual licensing and maintenance support for ESRI software.

**BACKGROUND:** Over the past several decades, the City has developed extensive Geographic Information Systems (GIS) using ESRI's ArcGIS-based software. This software documents and tracks changes to land data process by the City and it is a foundation data source for many of the software applications used by City staff including: computer aided dispatch (CAD), emergency operations, mobile data computers (MDCs), business licensing, Accela Automation used for permitting and land management, customer information system (CIS) used for utility billing and collection, CityWorks work order management system, trash truck routing, GeoViewer, Property Information Management System (PIMS), The Ontario Plan, and CityView for code enforcement case management.

The recommended agreement for an Enterprise Licensing Agreement will allow for continuity of the City's test, development and production systems. It will also allow for continued licensing to support Police crime analysis, fiber optic network management, presentation of GIS data over the web and will provide a planning and presentation tool with CityEngine modeling.

**STAFF MEMBER PRESENTING:** Elliott Ellsworth, Information Technology Director

Prepared by: Peter Witherow  
Department: Information Technology  
City Manager Approval: 

Submitted to Council/O.H.A. 10/15/2019  
Approved: \_\_\_\_\_  
Continued to: \_\_\_\_\_  
Denied: \_\_\_\_\_



# CITY OF ONTARIO

Agenda Report  
October 15, 2019

SECTION:  
CONSENT CALENDAR

**SUBJECT: RADIO SYSTEM ACCESS AND MAINTENANCE AGREEMENT**

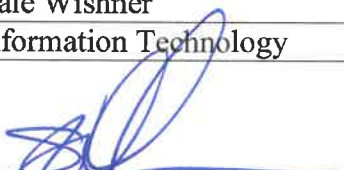
**RECOMMENDATION:** That the City Council approve and authorize the City Manager to execute a two-year radio system access and maintenance agreement (on file in the Records Management Department) with the County of San Bernardino for an annual estimated amount of \$993,134; and authorize the addition and update of operational necessary service levels and equipment consistent with City Council approved budgets; and authorize the City Manager to extend the agreement for up to five additional one-year periods in amounts consistent with City Council approved budgets for each respective fiscal year.

**COUNCIL GOALS:** Maintain the Current High Level of Public Safety  
Pursue City's Goals and Objectives by Working with Other Governmental Agencies

**FISCAL IMPACT:** Appropriations for radio system service and maintenance are included in the Baseline Annual IT Operational Budget. The monthly per radio access rate is \$59.49. Dispatch console rates are \$671.44 per position per month. Pager access is \$14.79 per pager per month, for an annual total amount of \$993,135 for Citywide operational needs for all departments.

**BACKGROUND:** Connection to a backbone system such as the one provided by San Bernardino County provides critical Public Safety communications as well as communications capabilities utilized by City Public Works personnel over a large geographic area. The City has approximately 1,236 vehicle and handheld radios for Police, Fire and Public Works field operations, and the Police and Fire Communications Centers currently utilize 13 Dispatch Consoles. Over 30 pagers are utilized by Fire personnel to provide redundant notifications as a backup to other communications methods.

**STAFF MEMBER PRESENTING:** Colin Fernandes, Executive Director Information Technology

Prepared by: Dale Wishner  
Department: Information Technology  
City Manager Approval: 

Submitted to Council/O.H.A. 10/15/2019  
Approved: \_\_\_\_\_  
Continued to: \_\_\_\_\_  
Denied: \_\_\_\_\_

# CITY OF ONTARIO

Agenda Report  
October 15, 2019

SECTION:  
CONSENT CALENDAR

**SUBJECT: PRE-AUTHORIZED LIST OF VENDORS TO PROVIDE SPECIALIZED PARTS AND EQUIPMENT FOR CITY FIBER OPTICS NETWORK**

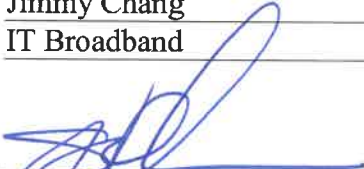
**RECOMMENDATION:** That the City Council approve pre-authorized vendors to provide specialized parts and equipment for the construction and maintenance of the City Fiber Optics Network.

**COUNCIL GOALS:** Operate in a Businesslike Manner  
Focus Resources in Ontario's Commercial and Residential Neighborhoods  
Invest in the City's Infrastructure (Water, Streets, Sewers, Parks, Storm Drains and Public Facilities)

**FISCAL IMPACT:** None. The designation of pre-authorized vendors to provide specialized parts and equipment does not affect appropriations and does not commit the City to any specific level of future expenditures with these vendors. Expenditures for each vendor and in total for each fiscal year will not exceed the department's appropriations limits established by the City Council.

**BACKGROUND:** The City Council adopted the Fiber Optics Master Plan in 2013 to construct a fiber optics network. Construction of this network began aggressively in 2015 and has resulted in the construction of over 100 miles of fiber optic cable throughout the Ontario Ranch Community and within the corridors of the City. Along with OntarioNet's (the City) service provider partner, there are now over 1,000 residential customers, 50 commercial customers, and 5 City facilities connected to the City fiber-based broadband services. The City has standardized on many specialized parts and equipment and has been able to procure directly from the manufacturers (AFL, Calix, Clearfield, Communication Supply Corporation, Coriant North America Inc., Myers Power Products, Newbasis West LLC), eliminating third-party markups. When unable to procure directly from a manufacturer, the bid process is followed. Certain vendors (Graybar Electric Supply, Power & Telephone Supply Company, MSI Tec, Inc.), have consistently provided the best pricing and have proven to provide quality service, prompt turnarounds and excellent products. Due to the specialized nature of the parts and equipment and the lead time necessary to procure items to keep fiber system installations on schedule, it is recommended that the City establish a list of pre-authorized vendors.

**STAFF MEMBER PRESENTING:** Colin Fernandes, Executive Director Information Technology

Prepared by: Jimmy Chang  
Department: IT Broadband  
City Manager Approval: 

Submitted to Council/O.H.A. 10/15/2019  
Approved: \_\_\_\_\_  
Continued to: \_\_\_\_\_  
Denied: \_\_\_\_\_

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APPROVED LIST OF AUTHORIZED VENDORS  
FOR PROCUREMENT OF SPECIALIZED PARTS AND EQUIPMENT

**Sole Source Vendors**

AFL  
170 Ridgeview Center Drive  
Duncan, SC 29334

Calix  
1035 North McDowell Boulevard  
Petaluma, CA 94954

Clearfield  
7050 Winnetka Avenue #100  
Brooklyn Park, MN 55428

Wesco/Communication Supply Corporation  
6400 Artesia Boulevard  
Buena Park, CA 90620

Coriant North America, Inc  
1415 West Diehl Road  
Naperville, IL 60563

Myers Power Products  
2950 East Philadelphia Street  
Ontario, CA 91761

Newbasis West, LLC  
2626 Kansas Avenue  
Riverside, CA 92507

**Non-sole Source Vendors**

Graybar Electric Supply  
1370 Valley Vista Drive  
Diamond Bar, CA 91765

Power & Telephone Supply Company  
2673 Yale Avenue  
Memphis, TN 38112

MSI Tec, Inc.  
8925 East Nichols Avenue  
Centennial, CO 80112

# CITY OF ONTARIO

Agenda Report  
October 15, 2019

SECTION:  
CONSENT CALENDAR

**SUBJECT: A MAINTENANCE SERVICES AGREEMENT FOR STORM DRAIN MAINTENANCE SERVICES CITYWIDE**

**RECOMMENDATION:** That the City Council authorize the City Manager to execute a three-year Maintenance Agreement (on file in the Records Management Department) for Contract No. SM1920-1 with United Storm Water Inc., of Industry, California, for an annual estimated cost of \$111,197 plus a contingency of \$16,680; and authorize the 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.

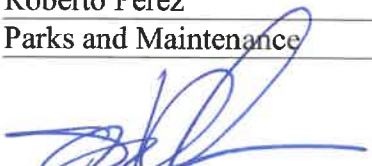
**COUNCIL GOALS:** Invest in the City's Infrastructure (Water, Streets, Sewers, Parks, Storm Drains and Public Facilities)  
Ensure the Development of a Well Planned, Balanced and Self-Sustaining Community in Ontario Ranch

**FISCAL IMPACT:** The recommended Maintenance Services Agreement is for an annual estimated amount of \$111,197 plus a contingency of \$16,680 for a total annual estimate of \$127,877 for each of the first three years. The three-year estimate is \$383,631. The Fiscal Year 2019-20 Adopted Operating Budget includes appropriations from the Storm Drain Maintenance Fund for these recurring expenses.

At the City's discretion, the agreement may be extended with a base price increase of 1.75% during the first option year and no base price increase for the second option year. Future contracting actions will be commensurate with the City Council authorized work programs and budgets. Contracting for the multi-year period allows the City to avoid the cost of re-bidding the contract annually, provides service continuity and allows for better projections of future years' costs.

**BACKGROUND:** In August 2019, the City solicited bids for citywide storm drain maintenance services. Three proposals were received, and all met the bid criteria and standards necessary to perform this work. A summary of the proposals is as follows:

**STAFF MEMBER PRESENTING:** Tito Haes, Executive Director Public Works

Prepared by: Roberto Perez  
Department: Parks and Maintenance  
City Manager Approval: 

Submitted to Council/O.H.A. 10/15/2019  
Approved: \_\_\_\_\_  
Continued to: \_\_\_\_\_  
Denied: \_\_\_\_\_

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<u>Vendor</u>	<u>Location</u>	<u>Amount</u>
United Storm Water Inc.	Industry, CA	\$111,197
Downstream Services Inc.	Escondido, CA	\$135,533
Hoffman Southwest Corp.	Walnut, CA	\$444,035

United Storm Water Inc. submitted a proposal that met all the required specifications with a three-year total of \$333,591. Based on their proposal, credentials, pricing, prior working relationship and favorable reference checks, staff recommends award of a Maintenance Services Agreement to United Storm Water Inc.

# CITY OF ONTARIO

Agenda Report  
October 15, 2019

SECTION:  
CONSENT CALENDAR

**SUBJECT: A RECYCLED WATER PURCHASE AGREEMENT BETWEEN THE CITY OF ONTARIO AND CUCAMONGA VALLEY WATER DISTRICT**

**RECOMMENDATION:** That the City Council approve and authorize the City Manager to execute a five-year agreement (on file in the Records Management Department) with Cucamonga Valley Water District (CVWD), subject to non-substantive changes, for the purchase of recycled water; and authorize extension of the agreement for five-year periods.

**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 Adopted Fiscal Year 2019-20 Budget includes appropriations from the Water Operating Fund for the routine purchase of recycled water. This proposed agreement would allow Ontario to purchase some of CVWD's recycled water base entitlement produced by the Inland Empire Utilities Agency (IEUA) on an as-needed basis. The proposed compensation of \$57.70 per acre-foot is the difference between 86% of the Metropolitan Water District (MWD) Untreated Full Service Tier I rate and the IEUA rate, and is based on current market rates for similar transactions. Upon mutual agreement by both Ontario and CVWD, this action will allow for future purchase prices to adjust to reflect market conditions, and will be consistent with City Council approved budgets. There is no impact to the General Fund.

**BACKGROUND:** The City obtains the majority of its water resources from the Chino Groundwater Basin (Basin). The Basin was adjudicated in 1978 (*Superior Court Case RCV 51010*) which allocated shares of the Basin safe operating yield. The City's Basin rights are less than its total water demand, and the City has developed supplemental and redundant supplies through investment in local groundwater rights, imported water, Chino Basin Desalter water, recycled water, and recharged recycled water.

**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. 10/15/2019

Approved: \_\_\_\_\_

Continued to: \_\_\_\_\_

Denied: \_\_\_\_\_

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The City purchases its base entitlement of recycled water from IEUA each year as defined in the Regional Sewerage Contract between IEUA and its member agencies. The base entitlement for each member agency is directly proportional to the amount of wastewater generated and treated from each member agency. The Regional Sewerage Contract allows for the transfer of base entitlement between member agencies upon mutual agreement.

As a result of significant investments in recycled water direct use, the City has been able to utilize a substantial amount of this water resource. The combination of the City's direct use and its share of the recycled water recharged by IEUA is approaching, and in Fiscal Year 2017-18 exceeded, the City's base entitlement. Currently the City has approximately 400 recycled water connections making up over ten percent of the total water demand. The purchase of CVWD's base entitlement, on an as-needed basis, will allow the City to maximize recycled water use in the near term. As the Ontario Ranch area continues to develop, recycled water supplies will increase, demand patterns will change, and the transfer of base entitlement is not anticipated to be necessary.

The proposed agreement gives the City the right of first purchase of up to 2,000 acre-feet of CVWD's recycled water base entitlement each year, with an option to purchase more if mutually agreeable. Recycled water is a local, sustainable resource that provides additional water supply reliability to the existing community and helps meet the future needs of The Ontario Plan.

The initial term of this Agreement is for five years with an option to renew for successive five (5) year terms, subject to agreement by both parties. The Agreement will continue to provide local beneficial use of this valuable resource and provide financial benefits to both parties.

# CITY OF ONTARIO

Agenda Report  
October 15, 2019

SECTION:  
PUBLIC HEARINGS

**SUBJECT: A PUBLIC HEARING TO CONSIDER A PLANNED UNIT DEVELOPMENT (FILE NO. PUD18-001) TO ESTABLISH DEVELOPMENT STANDARDS AND GUIDELINES TO FACILITATE THE FUTURE DEVELOPMENT OF A HIGH DENSITY RESIDENTIAL APARTMENT PROJECT ON 0.102-ACRE OF LAND LOCATED AT 418 EAST TRANSIT STREET, WITHIN THE MU-1 (DOWNTOWN MIXED USE) ZONING DISTRICT (APN: 1049-067-04)**

**RECOMMENDATION:** That the City Council introduce and waive further reading of an ordinance approving a Planned Unit Development, File No. PUD18-001, establishing development standards and guidelines to facilitate the development of a high density residential apartment project at 418 East Transit Street.


**COUNCIL GOALS:** Invest in the Growth and Evolution of the City's Economy  
Operate in a Businesslike Manner  
Focus Resources in Ontario's Commercial and Residential Neighborhoods

**FISCAL IMPACT:** None.

**BACKGROUND:** The project site is comprised of 0.102 acres of undeveloped land located at 418 East Transit Street, within the MU-1 (Downtown Mixed Use) zoning district. Properties surrounding the project site are characterized by a mix of land uses, including commercial to the north; single-family residential to the east; undeveloped land to the south; and, a mix of residential, commercial and industrial land uses to the west.

While redevelopment agencies were eliminated by the State, the Center City Redevelopment Project Area Plan is still in effect and envisions revitalization of the City's Downtown Mixed Use District, in part, by infusing medium and high density residential and mixed-use developments into the area. The Policy Plan component of The Ontario Plan ("TOP") furthers this vision by providing for the creation of low-rise developments (up to 5 stories in height) consisting of a mixture of retail, office and residential uses, for the purpose of creating identity and place in the Downtown Mixed Use District.

**STAFF MEMBER PRESENTING:** Scott Murphy, AICP, Executive Director Development Agency

Prepared by: Charles Mercier  
Department: Planning  
City Manager Approval: 

Submitted to Council/O.H.A. 10/15/2019  
Approved: \_\_\_\_\_  
Continued to: \_\_\_\_\_  
Denied: \_\_\_\_\_

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The Policy Plan specifies that a development project in the Downtown Mixed Use District is to be implemented through the approval of an Area Plan or Planned Unit Development (“PUD”) prior to any development occurring. In compliance with this requirement, the Applicant has submitted the “418 E. Transit St. PUD” document, which is consistent with the Center City Project Area vision and the goals and policies of TOP’s Policy Plan.

The PUD establishes standards and guidelines to facilitate the development of apartment units (three units in total) in a side-by-side townhouse configuration. A Development Plan (File No. PDEV18-035) was submitted for concurrent processing with the PUD, having an overall residential density of 30.3 DUs/acre, which is consistent with the density range of 25 to 75 DUs/acre required to be achieved on the project site by TOP’s Policy Plan.

The PUD proposes building setbacks that are limited to 10 feet from the Transit Street right-of-way, and 5 feet from interior property lines (side and rear). These requirements are consistent with the requirements of the City’s HDR-45 (High Density Residential – 25.1 to 45.0 DUs/acre) zoning district. Additionally, building heights are limited to 35 feet, so as to be consistent with the height of neighboring single-family residences to the east.

The PUD proposes parking ratios that are slightly below the standards specified in the Development Code (reductions for one-bedroom units and visitor parking are proposed) due to the project site’s close proximity to Holt Boulevard, which is a major transportation corridor with access to multiple bus lines and the future West Valley Connector Bus Rapid Transit (BRT) line. A comparison of the proposed reduced off-street parking standards and current Development Code standards are shown in the table below.

<i>Development Code Requirement</i>		<i>Proposed 418 E. Transit St. PUD</i>	
<u>One-Bedroom:</u>	1.75 spaces per dwelling, including one space in a garage or carport.	<u>One-Bedroom:</u>	1.0 spaces per dwelling, including one space in a garage or carport.
<u>2-Bedrooms:</u>	2.0 spaces per dwelling, including one space in a garage or carport.	<u>2-Bedrooms:</u>	2.0 spaces per dwelling, including one space in a garage or carport.
<u>3 or more Bedrooms:</u>	2.5 spaces per dwelling, including one space in a garage or carport.	<u>3 or more Bedrooms:</u>	2.5 spaces per dwelling, including one space in a garage or carport.
<u>Visitor Parking:</u>		<u>Visitor Parking:</u>	One space per 4 dwellings, which may be provided on-street.
Portion < 50 dwellings:	One space per 4 dwellings		
50 to 100 dwellings:	One space per 5 dwellings		
Portion > 100 dwellings:	One space per 6 dwellings		
A minimum of 3 guest spaces shall be provided regardless of the number of dwellings proposed.			

On September 24, 2019, the Planning Commission conducted a public hearing to consider the above- described PUD and concluded the hearing on that date. After considering all public testimony on the application, the Planning Commission voted unanimously (6-0-1) to approve a resolution recommending that the City Council approve the 418 E. Transit St. PUD.

**HOUSING ELEMENT COMPLIANCE:** The project is consistent with the Housing Element of the Policy Plan (General Plan) component of The Ontario Plan, as the project site is not one of the properties

in the Available Land Inventory contained in Table A-3 (Available Land by Planning Area) of the Housing Element Technical Report Appendix.

**AIRPORT LAND USE COMPATIBILITY PLAN (ALUCP) COMPLIANCE:** The project site is located within the Airport Influence Area of the Ontario International Airport and has been found to be consistent with the policies and criteria set forth within the Ontario International Airport Land Use Compatibility Plan.

**ENVIRONMENTAL REVIEW:** The proposed project is categorically exempt from the requirements of the California Environmental Quality Act of 1970 (CEQA), as amended, and the Guidelines promulgated thereunder, pursuant to Section 15332 (Class 32, In-Fill Development Projects) of the CEQA Guidelines, and meets all of the following conditions: [1] The Project is consistent with the applicable general plan designation and all applicable general plan policies, as well as the applicable zoning designation and regulations; [2] The proposed development occurs within city limits, on a project site of no more than five acres, and is substantially surrounded by urban uses; [3] The project site has no value as habitat for endangered, rare, or threatened species; [4] Approval of the Project will not result in any significant effects relating to traffic, noise, air quality, or water quality; and [5] the Project site can be adequately served by all required utilities and public services.

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING FILE NO. PUD18-001, A PLANNED UNIT DEVELOPMENT TO ESTABLISH DEVELOPMENT STANDARDS AND GUIDELINES TO FACILITATE THE DEVELOPMENT OF A HIGH DENSITY RESIDENTIAL APARTMENT PROJECT ON 0.102 ACRE OF LAND LOCATED AT 418 EAST TRANSIT STREET, WITHIN THE MU-1 (DOWNTOWN MIXED USE) ZONING DISTRICT, AND MAKING FINDINGS IN SUPPORT THEREOF—APN: 1049-067-04.

WHEREAS, RICHARD SOUTHERLAND ("Applicant") has filed an Application for the approval of a Planned Unit Development, File No. PUD18-001, as described in the title of this Ordinance (hereinafter referred to as "Application" or "Project"); and

WHEREAS, the Application applies to 0.102 acre of land generally located on the south side of Transit Street, approximately 110 feet west of Sultana Avenue, at 418 East Transit Street within the MU-1 (Mixed Use Downtown) zoning district, and is presently undeveloped; and

WHEREAS, the property to the north of the Project site is located within the MU-1 (Mixed Use Downtown) zoning district and is developed with commercial land uses. The property to the east is located within the MU-1 (Mixed Use Downtown) zoning district and is developed with single-family residential land uses. The property to the south is located within the MU-1 (Mixed Use Downtown) zoning district and is undeveloped. The property to the west is located within the MU-1 (Mixed Use Downtown) zoning district and is developed with a mix of residential, commercial and industrial land uses; and

WHEREAS, the project site is located within the Center City Redevelopment Project Area, established in 1983. While redevelopment agencies were eliminated by the State, the Center City Redevelopment Project Area Plan is still in effect and encourages the development of a high intensity, multi-use central business district. In addition, The Ontario Plan ("TOP") Policy Plan (General Plan) contains goals and policies for the City's Downtown and East Holt Mixed Use Areas, which further support the goals of the Center City Redevelopment Project Area Plan; and

WHEREAS, the Center City Redevelopment Project Area Plan envisions revitalization of the City's Downtown Mixed Use Area, in part, by infusing medium and high density residential developments, and mixed-use developments, into the area. The Policy Plan was established to further this vision and provides for the creation of low-rise developments (up to 5 stories in height) consisting of a mixture of retail, office and residential uses, for the purpose of creating identity and place in the Downtown Mixed Use Area. Furthermore, within the Downtown Mixed Use Area, the Policy Plan specifies a residential density range of 25 to 75 dwelling units per acre; and

WHEREAS, the Policy Plan specifies that the Downtown Mixed Use Area is to be implemented through the approval of an Area Plan or Planned Unit Development ("PUD") prior to the development of properties within the Area. In compliance with this requirement, the Applicant has submitted the 418 E. Transit St. PUD (included as Attachment 1 to the attached Resolution), which is consistent with this vision, and the goals and policies of the Policy Plan; and

WHEREAS, the purpose of the PUD is to secure a fuller realization of the Policy Plan than would result from the strict application of present zoning district regulations and to: [a] promote high standards in urban design; [b] encourage the development of exceptionally high quality, mixed-use, medium to high intensity projects, while establishing regulations and standards for uses with unique regulatory and design needs; and [c] ensure harmonious relationships with surrounding land uses; and

WHEREAS, a PUD is comparable to a Specific Plan in that it sets development regulations that are unique to a specific area; however, it is also unlike a Specific Plan in that a PUD is typically intended to apply to a single development project or several interrelated development projects that function together as a single, comprehensive project; and

WHEREAS, in conjunction with the proposed 418 E. Transit St. PUD, the Applicant is requesting Development Plan approval to construct a three-unit apartment building on the project site, at a density of 30.3 dwellings per acre; and

WHEREAS, the Application is a project pursuant to the California Environmental Quality Act (Public Resources Code Section 21000 et seq.) ("CEQA"); and

WHEREAS, the Project is exempt from CEQA pursuant to a categorical exemption (listed in CEQA Guidelines Article 19, commencing with Section 15300) and the application of that categorical exemption is not barred by one of the exceptions set forth in CEQA Guidelines Section 15300.2; and

WHEREAS, Ontario Development Code Table 2.02-1 (Review Matrix) grants the City Council the responsibility and authority to review and act on the subject Application; and

WHEREAS, the Project is located within the Airport Influence Area of Ontario International Airport ("ONT"), which encompasses lands within parts of San Bernardino, Riverside, and Los Angeles Counties, and is subject to, and must be consistent with, the policies and criteria set forth in the Ontario International Airport Land Use Compatibility Plan (ALUCP), which applies only to jurisdictions within San Bernardino County, and addresses the noise, safety, airspace protection, and overflight impacts of current and future airport activity; and

WHEREAS, City of Ontario Development Code Division 2.03 (Public Hearings) prescribes the manner in which public notification shall be provided and hearing procedures to be followed, and all such notifications and procedures have been completed; and

WHEREAS, on September 24, 2019, the Planning Commission of the City of Ontario conducted a hearing to consider the initial study, Addendum, and the Project and concluded said hearing on that date, voting to issue Resolution No. PC19-078 recommending the City Council approve the Application; and

WHEREAS, on October 15, 2019, the City Council of the City of Ontario conducted a hearing to consider the Project and concluded said hearing on that date; and

WHEREAS, all legal prerequisites to the adoption of this Ordinance have occurred.

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

**SECTION 1. *Environmental Determination and Findings.*** As the decision-making body for the Project, the City Council has reviewed and considered the information contained in the administrative record for the Project. Based upon the facts and information contained in the administrative record, including all written and oral evidence presented to the City Council, the City Council finds as follows:

(1) The administrative record have been completed in compliance with CEQA, the State CEQA Guidelines, and the City of Ontario Local CEQA Guidelines; and

(2) The Project is categorically exempt from the requirements of the California Environmental Quality Act of 1970 (CEQA), as amended, and the Guidelines promulgated thereunder, pursuant to Section 15332 (Class 32, In-Fill Development Projects) of the CEQA Guidelines, and meets all of the following conditions: [1] The Project is consistent with the applicable general plan designation and all applicable general plan policies, as well as the applicable zoning designation and regulations; [2] The proposed development occurs within city limits, on a project site of no more than five acres, and is substantially surrounded by urban uses; [3] The project site has no value as habitat for endangered, rare, or threatened species; [4] Approval of the Project will not result in any significant effects relating to traffic, noise, air quality, or water quality; and [5] the Project site can be adequately served by all required utilities and public services; and

(3) The application of the categorical exemption is not barred by one of the exceptions set forth in CEQA Guidelines Section 15300.2; and

(4) The determination of CEQA exemption reflects the independent judgment of the City Council.

**SECTION 2. *Housing Element Compliance.*** Pursuant to the requirements of California Government Code Chapter 3, Article 10.6, commencing with Section 65580, as the recommending authority for the Project, the City Council finds that based on the facts and information contained in the Application and supporting documentation, at the time of Project implementation, the project is consistent with the Housing Element of the Policy Plan (General Plan) component of The Ontario Plan, as the project site is not one of the

properties in the Available Land Inventory contained in Table A-3 (Available Land by Planning Area) of the Housing Element Technical Report Appendix.

**SECTION 3. Ontario International Airport Land Use Compatibility Plan (“ALUCP”) Compliance.** The California State Aeronautics Act (Public Utilities Code Section 21670 et seq.) requires that an Airport Land Use Compatibility Plan be prepared for all public use airports in the State; and requires that local land use plans and individual development proposals must be consistent with the policies set forth in the adopted Airport Land Use Compatibility Plan. On April 19, 2011, the City Council of the City of Ontario approved and adopted the ALUCP, establishing the Airport Influence Area for Ontario International Airport (hereinafter referred to as “ONT”), which encompasses lands within parts of San Bernardino, Riverside, and Los Angeles Counties, and limits future land uses and development within the Airport Influence Area, as they relate to noise, safety, airspace protection, and overflight impacts of current and future airport activity. As the recommending authority for the Project, the City Council has reviewed and considered the facts and information contained in the Application and supporting documentation against the ALUCP compatibility factors, including [1] Safety Criteria (ALUCP Table 2-2) and Safety Zones (ALUCP Map 2-2), [2] Noise Criteria (ALUCP Table 2-3) and Noise Impact Zones (ALUCP Map 2-3), [3] Airspace protection Zones (ALUCP Map 2-4), and [4] Overflight Notification Zones (ALUCP Map 2-5). As a result, the City Council, therefore, finds and determines that the Project, when implemented in conjunction with the conditions of approval, will be consistent with the policies and criteria set forth within the ALUCP.

**SECTION 4. Concluding Facts and Reasons.** Based upon the substantial evidence presented to the Planning Commission during the above-referenced hearing, and upon the specific findings set forth in Section 1 through 3, above, the Planning Commission hereby concludes as follows:

(1) ***The proposed PUD, or amendment thereto, is consistent with the goals, policies, plans and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan.*** The proposed project is located within the Downtown Mixed Use land use district of the Policy Plan Land Use Map, and the MU-1 (Downtown Mixed Use) zoning district. The development standards and conditions under which the proposed project will be constructed and maintained, is consistent with the goals, policies, plans, and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan.

(2) ***The proposed PUD, or amendment thereto, would not be detrimental to the public interest, health, safety, convenience, or general welfare of the City.*** The City has required certain safeguards, and has required certain changes, which have been established to ensure that: [i] the purposes of the Planned Unit Development are maintained; [ii] the project will not endanger the public health, safety or general welfare; [iii] the project will not result in any significant environmental impacts; [iv] the project will be in harmony with the area in which it is located; and [v] the project will be in full conformity with the Vision, City Council Priorities and Policy Plan components of The Ontario Plan.

(3) ***In the case of an application affecting specific property(ies), the proposed PUD, or amendment thereto, will not adversely affect the harmonious relationship with adjacent properties and land uses.*** A thorough review and analysis of the proposed project and its potential to adversely impact properties surrounding the subject site was completed by City staff. As a result of this review, certain design considerations were incorporated into the project to mitigate identified impacts to an acceptable level, including the use of upgraded materials, the inclusion of certain architectural design elements on building exteriors, intensified landscape elements, and decorative hardscape elements.

(4) ***In the case of an application affecting specific property(ies), the subject site is physically suitable, including, but not limited to, parcel size, shape, access, and availability of utilities, for the request and anticipated development.*** In preparing the proposed PUD, a thorough review and analysis of the proposed project and the project site's physical suitability for the proposed project was completed, including analysis of the project size, shape, intensity of development, building height, building setbacks, site access, site landscaping and drainage, fences and walls, vehicle circulation, pedestrian connections, availability of mass transit, necessary street dedication and easements, public right-of-way improvements, availability of utilities and other infrastructure needs, off-street parking and circulation, building orientation and streetscapes, architectural character, building materials and color, and site signage.

(5) ***The proposed PUD is superior to that which could be obtained through the application of the Development Code or a specific plan.*** The proposed PUD addresses aspects of the project that are specifically related to the Development Plan proposed in conjunction with the PUD application, including necessary building setbacks, site access points, off-street parking and site circulation, and architectural character.

**SECTION 5. City Council Action.** Based upon the findings and conclusions set forth in Sections 1 through 4, above, the City Council hereby APPROVES the herein described PUD, attached hereto as "Attachment A," and incorporated herein by this reference.

**SECTION 6. Indemnification.** The Applicant shall agree to defend, indemnify and hold harmless, the City of Ontario or its agents, officers, and employees from any claim, action or proceeding against the City of Ontario or its agents, officers or employees to attack, set aside, void, or annul this approval. The City of Ontario shall promptly notify the applicant of any such claim, action, or proceeding, and the City of Ontario shall cooperate fully in the defense.

**SECTION 7. Custodian of Records.** The documents and materials that constitute the record of proceedings on which these findings have been based are located at the City of Ontario City Hall, 303 East "B" Street, Ontario, California 91764. The custodian for these records is the City Clerk of the City of Ontario.

**SECTION 8. Severability.** If any section, sentence, clause or phrase of this Ordinance or the application thereof to any entity, person or circumstance is held for any reason to be invalid or unconstitutional, such invalidity or unconstitutionality shall not affect other provisions or applications of this Ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are severable. The People of the City of Ontario hereby declare that they would have adopted this Ordinance and each section, sentence, clause or phrase thereof, irrespective of the fact that any one or more section, subsections, sentences, clauses or phrases be declared invalid or unconstitutional.

**SECTION 9. Effective Date.** This Ordinance shall become effective 30 days following its adoption.

**SECTION 10. Publication and Posting.** The Mayor shall sign this Ordinance and the City Clerk shall certify as to the adoption and shall cause a summary thereof to be published at least once, in a newspaper of general circulation in the City of Ontario, California within 15 days following the adoption. The City Clerk shall post a certified copy of this ordinance, including the vote for and against the same, in the Office of the City Clerk, in accordance with Government Code Section 36933.

PASSED, APPROVED, AND ADOPTED this 15<sup>th</sup> day of October 2019.

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PAUL S. LEON, MAYOR

ATTEST:

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SHEILA MAUTZ, CITY CLERK

APPROVED AS TO FORM:

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COLE HUBER LLP  
CITY ATTORNEY



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

I, SHEILA MAUTZ, City Clerk of the City of Ontario, DO HEREBY CERTIFY that foregoing Ordinance No.        was duly introduced at a regular meeting of the City Council of the City of Ontario held October 15, 2019 and adopted at the regular meeting held \_\_\_\_\_, 2019, by the following roll call vote, to wit:

AYES:            COUNCIL MEMBERS:

NOES:           COUNCIL MEMBERS:

ABSENT:         COUNCIL MEMBERS:

\_\_\_\_\_  
SHEILA MAUTZ, CITY CLERK

(SEAL)

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

\_\_\_\_\_  
SHEILA MAUTZ, CITY CLERK

(SEAL)

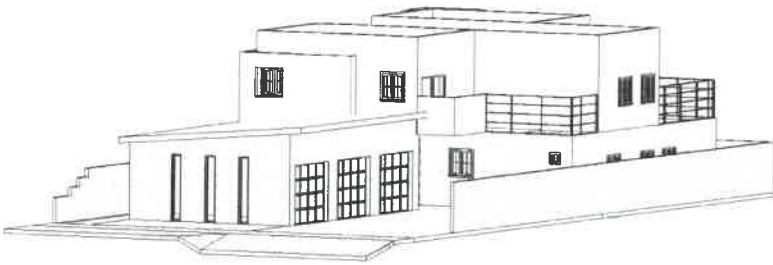
**ATTACHMENT A:**

**File No. PUD18-001;  
418 E. Transit St. Planned Unit Development**

*(Document follows this page)*

# 418 E. Transit St.

## Planned Unit Development



File No. PUD18-001  
Ordinance No. \*\*\*\*  
Approved: \*\*/\*\*/\*\*\*\*

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# 1. Introduction

This document is intended to function as a set of planning and design principles, development regulations, and performance standards to guide and govern the development of a 4,350-square foot parcel of land fronting Transit Street and within the block bounded by Sultana Avenue to the East, Plum Avenue to the West, and Emporia Street to the South (see Exhibit 1-1: Project Location Map and Exhibit 1-2: Aerial Map of Project Site, below). The project site is located within the Downtown Mixed Use District as established by Exhibit LU-01, Land Use Plan, of the Policy Plan component of The Ontario Plan, which requires establishment of a Planned Unit Development (hereinafter referred to as "PUD") prior to the approval of a precise plans for development (hereinafter referred to as "Development Plans"). The requirements for establishing a PUD is outlined in Ontario Development Code Section 4.01.030 (Planned Unit Development (PUD) and Amendments). Approval of this PUD will establish the land use and development standards, and design guidelines, for this particular parcel. The 418 East Transit Street PUD will replace the existing zone district designations and zoning standards that apply to the affected property. Unless defined herein, definitions and interpretations contained in the Development Code shall apply. Where the provisions of this PUD are silent, the provisions of the City of Ontario Development Code shall be used.

City staff and private developers will rely on this PUD to determine whether Development Plans will adequately meet the City's land use and design objectives.

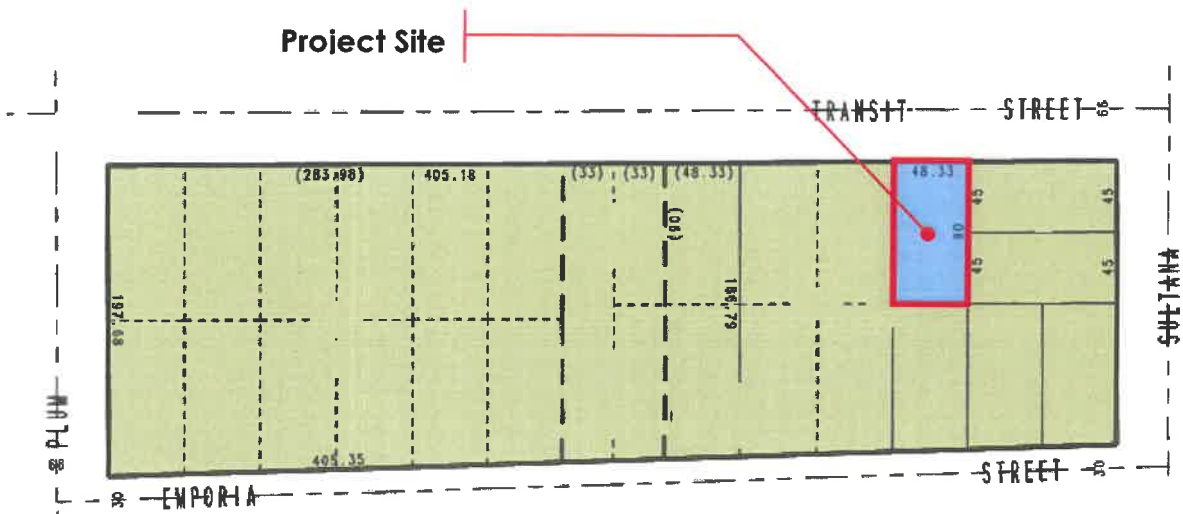
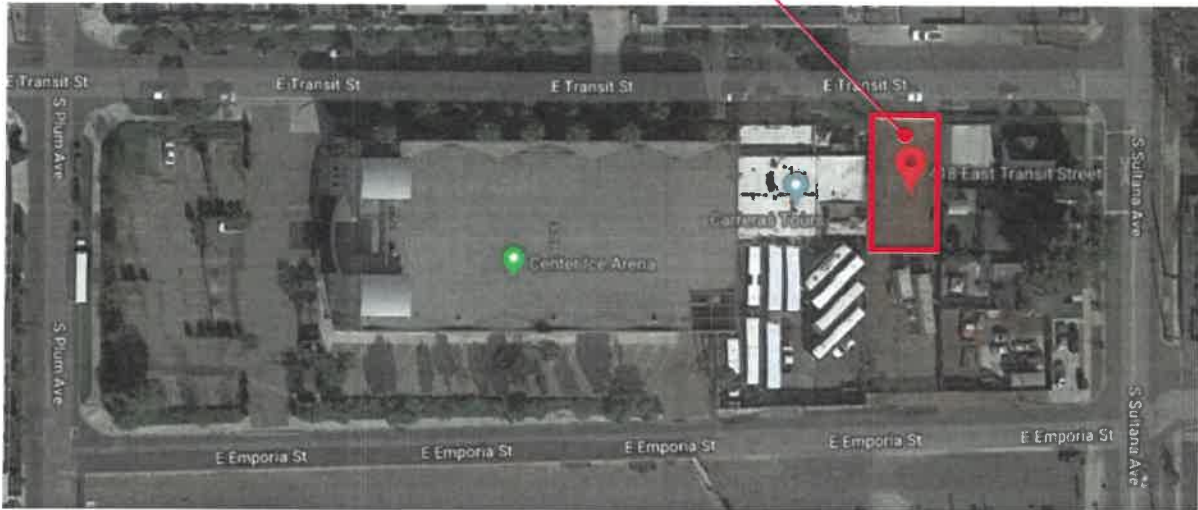


Exhibit 1-1: Project Location Map

**Project Site**



**Exhibit 1-2: Aerial Map of Project Site**

## 2. Objectives

### 2.1 The Ontario Plan Objectives

The Ontario Plan Policy Plan designates the project area as Downtown Mixed Use (MU-1). The 418 East Transit Street Planned Unit Development is consistent with the principles, goals, and policies contained within the components that make up The Ontario Plan (hereinafter referred to as "TOP"), including: (1) Vision, (2) Policy Plan, and (3) City Council Priorities. Policies that are supplemented by this PUD are as follows:

(1) Vision

**Distinctive Development**

Commercial and Residential Development

- Development quality that is broadly recognized as distinctive and not exclusively tied to the general suburban character typical of much of Southern California.
- A demonstrated ability to attract housing in pursuit of our acknowledged responsibility to balance housing with the job growth that drives our quality of life.
- One of the most comprehensive and diverse housing stocks in the region that offers broad choices for its diverse workforce and their families, ranging from entry level housing to executive level development; from semi-rural to highly urban.
- Distinctive and well-maintained neighborhoods that offer exceptional variety in lifestyles, with convenient access to schools, recreation and cultural facilities, places of worship, places of employment and shopping.
- Diverse and highly successful villages that benefit from preservation, enhancement, and selective intensification (Original Model Colony).

Development Quality

- Superior quality and design of the built environment and open spaces through careful attention to detail at every scale, including public and private spaces and structures.

(2) Policy Plan

**Land Use Element**

- LU 1-4 Mobility** - We require development and urban design, where appropriate, that reduces reliance on the automobile and capitalizes on multi-modal transportation opportunities
- LU 1-6 Complete Community** – We incorporate a variety of land uses and building types in our land use planning efforts that result in a complete community where residents at all stages of life, employers, workers, and visitors have a wide spectrum of choices of where they can live, work, shop, and recreate within Ontario.
- LU 2-1 Land Use Decisions** – We minimize adverse impacts on the adjacent properties when considering land use and zoning requests.



**LU 3-1 Development Standards** - We maintain clear development standards which allow flexibility to achieve our Vision.

**LU 3-3 Land Use Flexibility** - We consider uses not typically permitted within a land use category if doing so improves livability, reduces vehicular trips, creates community gathering places and activity nodes, and helps create identity.

#### **Housing Element**

**H 2-1 Corridor Housing** - We revitalize transportation corridors by encouraging the production of higher density residential and mixed-uses that are architecturally, functionally and aesthetically suited to corridors.

**H 2-6 Infill Development** - We support the revitalization of neighborhoods through the construction of higher density residential developments on underutilized residential and commercial sites.

**H 3-2 Flexible Standards** - We allow flexibility in the application of residential and mixed-use development standards to gain benefits such as exceptional design quality, economic advantages, sustainability, or other benefits that would otherwise be unrealized.

**H 3-3 Development Review** - We maintain a residential development review process that provides certainty and transparency for project stakeholders and the public, yet allows for the appropriate review to facilitate quality housing development.

#### **Environmental Resource Element**

**ER 1-6 Urban Runoff Quantity** - We encourage the use of low impact development strategies to intercept runoff, slow the discharge rate, increase infiltration, and ultimately reduce discharge volumes to traditional storm drain systems.

#### **Complete Community**

**CE 1-6 Diversity of Housing** - We collaborate with residents, housing providers and the development community to provide housing opportunities for every stage of life; we plan for a variety of housing types and price points to support our workforce, attract business and foster a balanced community.

#### **Community Development**

**CD 1-1 City Identity** - We take actions that are consistent with the City being a leading urban center in Southern California while recognizing the diverse character of our existing viable neighborhoods.

**CD 2-1 Quality Architecture** - We encourage all development projects to convey visual interest and character through:

- Building volume, massing, and height to provide appropriate scale and proportion.
- True architectural style which is carried out in plan, section, and elevation through all aspects of the building and site design and appropriate for its setting.

- Exterior building materials that are visually interesting, high quality, durable, and appropriate for the architectural style.

**CD 2-2 Neighborhood Design** – We create distinct residential neighborhoods that are functional, have a sense of community, emphasize livability and social interaction, and are uniquely identifiable places through such elements as:

- Variable setbacks to accommodate a diversity of housing types
- Landscaped parkways, with sidewalks separated from the curb.

**CD 3-6 Landscaping** - We utilize landscaping to enhance the aesthetics, functionality and sustainability of streetscapes, outdoor spaces and buildings.

**CD 5-1 Maintenance of Buildings and Property** - We require all public and privately owned buildings and property (including trails and easements) to be properly and consistently maintained.

(3) City Council Priorities

- Invest in the growth and evolution of the City's economy.
- Focus resources in Ontario's commercial and residential neighborhoods.

## **2.2 PUD Purpose and Objective**

The purpose of the 418 East Transit Street PUD is to secure a greater realization of the general plan than that which would result from the application of present zone district regulations; to promote high standards in urban design; to encourage the development of an exceptionally high quality, high intensity residential project while establishing regulations and standards for uses with unique regulatory and design needs. The intent of the PUD is to:

- (1) Promote the development of a residential project, a three-unit multiple-family building, which is consistent with the land use/downtown objectives of The Ontario Plan.
- (2) Achieve a high-density residential development while maintaining high quality in design and construction.
- (3) Contribute to the revitalization of downtown and enhancement of the unique character of the downtown street streetscape.
- (4) Promote flexibility and innovative design of more intense urban development to provide efficient use of space and preserve significant natural, scenic and cultural features of a site.
- (5) Develop high quality, rental housing
- (6) Establish appropriate relationships among new residential neighborhoods as well as with adjacent land uses

### **3. Land Use Plan**

Land uses will be allowed on the parcel as described below. The land uses have been established to meet the zoning standard of the Downtown Mixed-Use Zone (MU-1). The MU-1 zoning district was established to accommodate an intensive mixture of vertical and horizontal retail and office uses at a development intensity of up to 2.0 FAR, and residential uses at a density of 25 to 75 dwelling units per acre. Development projects within the MU-1 zoning district are intended to maintain a pedestrian friendly atmosphere, while enhancing the historic character of the surrounding area. Consistent with the intent of the MU-1 (Downtown Mixed Use) zoning district, the project site is hereby designated as the MFR (Multiple-Family Residential) land use district.

#### **3.1 Residential Uses**

The property will be developed as a high-density residential development in a mid-rise formation. One building comprised of three attached units in a townhome configuration. Each unit will be 2 stories with a one-car garage at grade level, habitable areas on the first, and second floors, with a roof deck on part of the second level. The garages will be detached from the living areas and placed in the front of the building complex. All units will be designed for an urban style of living in close proximity to existing shopping centers, entertainment, and dining venues.

##### **3.1.1 Permitted Uses**

The permitted land uses within the 418 East Transit Street PUD are as follows:

- (1) Single family residential dwellings;
- (2) Multiple family residential dwellings;
- (3) Live-work units;
- (4) Motor vehicle parking ancillary to multiple family housing developments;
- (5) Temporary uses as permitted within the residential districts of the City of Ontario Development Code Subject to an Administrative Permit; and
- (6) Other land uses compatible with multiple family residential development projects, as determined by the Zoning Administrator.
- (7) Uses may be prohibited through rental contracts and agreements, as provided by the owner and property management, unless prohibited by Federal, State, or Local laws.

## 4. Regulations for Development

### 4.1 Allowed Residential Density Range

The project site shall be developed within the density range of 25 to 75 dwelling units per acre.

### 4.2 Project Density

This project site consists of 0.102 acre of land. The density range stipulated in Section 4.1 (Residential Density), above, allows for the development of a minimum of two dwellings and a maximum of seven dwellings on the project site.

### 4.3 Building Height

No structure shall exceed 35 feet in height, except that the maximum height may be exceeded by roof mounted equipment, architectural projections, chimneys, elevator towers, parapet walls, and any other roof top structures by up to 10% of the allowed building height. No rooftop equipment shall be visible from anywhere on the project site, public streets, or adjacent properties, and shall be fully screened with as needed architectural treatments. Roof mounted equipment shall not exceed the height of the appurtenances used to screen them.

### 4.4 Building Setbacks

**Table 4.1: Building Setbacks**

<i>Location</i>	<i>Distance</i>
(1) Front yard:	10 FT
(2) Rear yard:	5 FT
(3) Side yard:	5 FT
(4) Building setback from drive aisles:	0 FT
(5) Building separation:	5 FT

### 4.5 Access

Along Transit Street one driveway access is allowed, providing primary access to the site. The driveway may be as small in width as 10 feet and as large as 22 feet.

### 4.6 Open Space

It is the intent of this section to ensure sufficient open space areas for the enjoyment of recreational activities by residents and their guests.

#### 4.6.1 Private Open Space

- (1) Private Open Space shall be provided for each residential unit in order to provide private outdoor areas that can be enjoyed exclusively by the occupant of the residential

unit and their guests. Types of areas considered Private Open Space include balconies, decks, patios, and enclosed yard areas.

- (2) Private Open Space shall be provided for all residential units, and shall have direct access from each residential unit. Residential units shall have a minimum private open space area of 130 square feet, and a minimum average Private Open Space area of 190 square feet shall be achieved for the overall project. The Space may be provided in multiple areas (i.e. balconies, covered porches, a yard, and patio, etc.), as-long-as the total area of the space meets the minimum private open space requirement for the unit. The minimum dimension for private open space shall be no less than 6 feet in any direction.

#### **4.6.2 Common Open Space**

Common Open Space is typically provided to allow for both passive and active types of recreation, along with the site landscape amenities; however, given the reduced size of the project site, common open space areas shall be restricted to passive areas within the project's side and rear setback areas.

### **4.7 Landscaping**

#### **4.7.1 Site Landscaping**

A conceptual landscape plan shall be submitted with each Development Plan within the 418 East Transit Street PUD area. The plan shall specify all landscape and hardscape elements for the development plan site. Detailed Landscape and Irrigation plans shall be required prior to the issuance of building permits. The detailed plans shall show location of ground mounted utility boxes and equipment, along with the methods of screening for these items from the public right of way and adjacent residences where possible (see Figure 4-1: Conceptual Landscape Planting Legend).

The Landscape and irrigation plan shall be designed with water conservation in mind, utilizing "California friendly" species and drought tolerant planting materials. The landscaping and irrigation shall comply with AB 1881, and all other laws and regulations related to planting materials.

#### **4.9.2 Compliance with State and Federal Laws**

Provide landscaping and an irrigation system, which promotes the conservation of water as required by the Water Conservation in Landscaping Act of 2006 (AB 1881), commencing with the California Government Code Section 65591.

### **4.8 Screening**

#### **4.8.1 General Requirement**

- (1) All roof and ground mounted mechanical equipment shall be screened pursuant to the requirements of the Ontario Development Code.
- (2) Screening shall include plant and building materials compatible with the project design so it is well integrated and hidden within the project area.

- (3) Building and plant materials used for screening shall be compatible with the architectural style and planting palette used on the project area.
- (4) All ground level screening shall comply with the requirements of the Ontario Development Code Section 6.02.030 (Protection of Intersection Visibility).

#### **4.8.2 Fences, Wall, and Hedges**

- (1) Fences, walls and hedges shall comply with Section 6.02.030 (Protection of Intersection visibility) of the Ontario Development Code, Engineering Department corner sight distance standards, and all other applicable city standards. Fences and wall shall be made of decorative materials that are compatible with, or enhance the overall architectural character of the project. All fences, walls and hedges shall be in scale with the development, and shall be used for screening, site enhancement, and creating a safer living environment for residents and their guests. All decorative walls, monuments, and/or other similar features, shall not encroach in to the public street right of way.
- (2) A 6-foot high decorative masonry block wall, with a decorative cap, shall be constructed along the perimeter of the project, including the interior side and rear project boundaries. The wall height shall be measured on the exterior side of the wall, at the highest point of natural ground or finished grade at the base of the wall, to the top of the wall above the same base point.

## **5. Parking and Circulation**

### **5.2 Site Accessibility**

The site shall be designed to promote safety for residents. This will be achieved by have separate entrances provided at opposite ends for pedestrians and vehicles.

### **5.3 Vehicle Circulation**

The project area shall be designed to provide all guest parking off site to ensure accessibility. Location of drive aisles and entries shall be approved by the City Engineer. Vehicle circulation shall be designed in a way that promotes pedestrian safety and proper access to the parking garage areas.

### **5.4 Pedestrian Circulation**

The development must provide for safe pedestrian circulation across the project site by separating the pedestrian areas from the vehicular access. This includes, but is not limited to, accessibility from garage areas to unit entries, site amenities, and perimeter sidewalks. Fencing and gates may be used to limit public access to resident-only areas.

### **5.5 Access to Mass Transit**

The PUD development should encourage the use of existing bus stops.

### **5.6 Public Right-of-Way Improvements**

The project site public right-of-way improvements shall be limited to the site frontage and shall only include sidewalk and driveway improvements.

### **5.7 Infrastructure**

Water service will be provided by utilizing the existing 6-inch water line under Transit Street. The existing water line has been determined adequate for the proposed development. An upsizing of the line will not be required. Sanitary sewer connections for the project will be made to an existing 8-inch line under Transit Street. An upsizing of the sewer line will not be required. Two power poles are available at the subject property, in the North-East and South-East corners. Overhead power service drops shall be allowed to service the site.

### **5.8 Parking Requirements**

#### **5.8.1 On-Site Parking Requirements**

The number of parking spaces provided is based on the number of bedrooms within each of the dwelling units proposed, and is subject to the following requirements:

- (1) All required resident parking spaces shall be provided on-site
- (2) All required resident parking spaces shall be covered spaces, in a garage or carport
- (3) Each dwelling is intended for occupancy by one family, regardless of bedroom sizes provided in a particular unit. Parking for dwellings shall be provided pursuant to the

requirements of Table 5.1: Minimum Parking Requirements, below. Each unit shall be provided a minimum of one covered parking space in a garage or carport

**Table 5.1: Minimum Parking Requirements**

<i>No. of Bedrooms</i>	<i>No. of Resident Parking Spaces Required per Unit</i>
(a) Studio and One-Bedroom Units:	1.0
(b) Two-Bedroom Units:	2.0
(c) Three-Bedroom Units:	2.5

In addition to the resident parking required above, a minimum of one guest parking spaces shall be provided for every four dwelling units and shall comply with Section 5.8.2 of this PUD.

### **5.8.2 On-Street Parking Requirements**

On-street parking may be utilized to satisfy guest parking requirements, subject to the following conditions:

- (1) On-street parking may be used to satisfy guest parking requirements and shall not be used satisfy resident parking requirements.
- (2) On-street parking shall only be counted along the public street adjacent to the project site (Transit Street).

### **5.8.3 Parking Standards**

All parking space size and location requirements shall conform to the standards set forth in City of Ontario Development Code Section 6.03.045 (Off-Street Parking Standards).



## **6. Design Guidelines**

### **6.1 Building Orientation and Streetscapes**

To preserve the existing neighborhood character, the development will act as a transition from the industrial/commercial use to a completely residential use. One pedestrian walkway will be placed from the public way to the site, running along the east side of the building, as shown in Figure 6.1 The existing parkway area will be remodeled to conform with the development on the property while adding to the overall streetscape.

### **6.2 Architectural Character**

The building will be largely visible to public view and neighboring properties. The building will utilize large openings on all sides to encourage a modern building appearance, while increasing the amount of natural daylight into the structures. Whereas the buildings will be designed with modern architecture style, it will also blend with neighboring industrial buildings, by the representation of blocks on the exterior. The Development Plan will take this into account in its approval of architectural treatments. These treatments should be carried around all portions of the building.

### **6.3 Materials and Color**

Durable high-quality materials shall be used at the pedestrian level. Foam features, trim, or similar materials are not allowed at pedestrian level due to the lack of durability and failure to maintain a quality appearance over time.

The color scheme for the project shall be taken from an earth tone palette to blend and coordinate the various architectural features of the building, with the surrounding area, to create a cohesive appearance.

### **6.4 On-Site Lighting**

Decorative light fixtures attached to the buildings shall be compatible with the architectural style of the building

All other on-site lighting shall meet development standard of the Ontario Development Code

### **6.5 Off Site Improvements**

All off-site improvements shall be installed in accordance with City standards, and to the satisfaction of the City Engineering department.

## **7. Administration**

### **7.1 Items not addressed in the PUD**

Any terms, requirements, or regulations not addressed within the PUD document shall be governed by the City of Ontario Development Code, the regulations of the High-Density Residential zones and City Standards.

### **7.2 Development Applications**

A Development Plan for the development of the lot shall be submitted for review and approval per the requirements contained in Article 8 of the City of Ontario Development Code with the General Application.

### **7.3 Administrative Exceptions**

Deviation from the development standards set forth in this document may be granted up to a maximum of 10 percent by the Zoning Administrator. Any deviation in excess of 10 percent shall require Variance approval.