

**CITY OF ONTARIO**  
**CITY COUNCIL AND HOUSING AUTHORITY**  
**AGENDA**  
**MARCH 20, 2012**

**Paul S. Leon**  
Mayor

**Sheila Mautz**  
Mayor pro Tem

**Alan D. Wapner**  
Council Member

**Jim W. Bowman**  
Council Member

**Debra Dorst-Porada**  
Council Member



**Chris Hughes**  
City Manager

**John E. Brown**  
City Attorney

**Mary E. Wirtes, MMC**  
City Clerk

**James R. Milhiser**  
Treasurer

**WELCOME to a meeting of the Ontario City Council.**

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



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

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

**CALL TO ORDER (*OPEN SESSION*)**

**6:00 p.m.**

***ROLL CALL***

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

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

***CLOSED SESSION***

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

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

***PLEDGE OF ALLEGIANCE***

Council Member Dorst-Porada

***INVOCATION***

Reverend Nelson Grande, Westminster Presbyterian Church

***REPORT ON CLOSED SESSION***

City Attorney



## **PUBLIC COMMENTS**

**6:30 p.m.**

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

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

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

## **CONSENT CALENDAR**

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

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

### **1. APPROVAL OF MINUTES**

Minutes for the regular meeting of the City Council and Housing Authority of February 21, 2012, and approving same as on file in the Records Management Department.

### **2. BILLS/PAYROLL**

**Bills** February 12, 2012 through February 25, 2012 and **Payroll** February 12, 2012 through February 25, 2012, when audited by the Finance Committee.



**3. CONSTRUCTION CONTRACT FOR SOUND INSULATION OF 56 HOUSES UNDER THE ONTARIO QUIET HOME PROGRAM/S&L SPECIALTY CONTRACTING, INC.**

That the City Council reject any and all non-responsive bids; award Contract No. P150-1112-02 (on file with the Records Management Department) to S&L Specialty Contracting, Inc. of Syracuse, New York in the amount of \$1,438,000 plus 15% contingency of \$215,700 for a total not to exceed amount of \$1,653,700 to sound insulate 56 houses; and authorize the City Manager, or his designee, to execute the contract, other related documents necessary to implement said contract, and file a Notice of Completion at the conclusion of all construction activities related to this contract.

**4. AMENDMENT TO THE PROFESSIONAL SERVICES AGREEMENT WITH THE JONES PAYNE GROUP, INC., FOR ARCHITECTURAL, ENGINEERING, AND ACOUSTICAL SERVICES FOR THE QUIET HOME PROGRAM/THE JONES PAYNE GROUP, INC.**

That the City Council approve Amendment No. 2 to the professional services agreement (on file in the Records Management Department) with The Jones Payne Group, Inc. of Boston, Massachusetts, to provide architectural, engineering, and acoustical services for a new sound insulation project known as Phase 10 in the not-to-exceed amount of \$998,248; extend the agreement for an additional one-year; and authorize the City Manager, or his designee, to execute the amendment and all other related documents necessary to implement said amendment.

**5. AN ORDINANCE REPEALING ORDINANCE NO. 2938 ELECTING TO PARTICIPATE IN THE ALTERNATIVE VOLUNTARY REDEVELOPMENT PROGRAM PURSUANT TO HEALTH AND SAFETY CODE SECTION 34192**

That the City Council introduce and waive further reading of an ordinance repealing Ordinance No. 2938 electing to participate in the Alternative Voluntary Redevelopment Program Pursuant to Health and Safety Code Section 34192.

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

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF  
ONTARIO, CALIFORNIA, REPEALING ORDINANCE NO. 2938  
ELECTING TO PARTICIPATE IN THE ALTERNATIVE  
VOLUNTARY REDEVELOPMENT PROGRAM PURSUANT TO  
HEALTH AND SAFETY CODE SECTION 34192 ET SEQ.

**6. A RESOLUTION APPROVING A RECOGNIZED OBLIGATION PAYMENT SCHEDULE PURSUANT TO CALIFORNIA HEALTH AND SAFETY CODE SECTION 34177**

That the City of Ontario as the Successor Agency of the dissolved Ontario Redevelopment Agency adopt a resolution approving the Redevelopment Agency's Recognized Obligation Payment Schedule.



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

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, SERVING AS THE SUCCESSOR AGENCY TO THE DISSOLVED ONTARIO REDEVELOPMENT AGENCY, APPROVING AND ADOPTING AN INITIAL DRAFT OF A RECOGNIZED OBLIGATION PAYMENT SCHEDULE PURSUANT TO HEALTH AND SAFETY CODE SECTION 34177(l).

**7. ADOPTION OF AMENDED CITY OF ONTARIO LOCAL GUIDELINES FOR IMPLEMENTING THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (“CEQA”)**

That the City Council adopt a resolution approving the 2012 revisions to the “City of Ontario Local Guidelines for Implementing the California Environmental Quality Act” (on file in the Records Management Department).

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

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, AMENDING AND ADOPTING LOCAL GUIDELINES FOR IMPLEMENTING THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (PUBLIC RESOURCES CODE §§ 21000 ET SEQ.).

**8. APPLICATION FOR A STATE OF CALIFORNIA DEPARTMENT OF ALCOHOLIC BEVERAGE CONTROL GRANT**

That the City Council authorize the City Manager to apply for and execute grant documents to accept a 12-month grant for a maximum of \$25,000 to assist in funding overtime enforcement operations for an Alcoholic Beverage Control (ABC) Investigator to address alcohol-related problems in the community.

**9. APPLICATION FOR A GRANT FROM THE CALIFORNIA OFFICE OF TRAFFIC SAFETY (OTS) FY2013 SOBRIETY CHECKPOINT PROGRAM**

That the City Council authorize the City Manager to execute all documents necessary to apply for and accept a 12-month grant in the amount of \$356,051 from the California Office of Traffic Safety (OTS) for participation in the FY2013 Sobriety Checkpoint Grant Program.

**10. APPLICATION FOR A CALIFORNIA OFFICE OF TRAFFIC SAFETY FOR DRIVING UNDER THE INFLUENCE AND EXCESSIVE SPEED ENFORCEMENT GRANT**

That the City Council authorize the City Manager to execute all documents necessary to apply for and accept a 12-month grant award in the amount of \$174,350 from the Office of Traffic Safety (OTS) for driving under the influence and excessive speed enforcement activities.



## **COUNCIL MATTERS**

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

## **STAFF MATTERS**

City Manager Hughes

## **ADJOURNMENT**



# CITY OF ONTARIO CLOSED SESSION REPORT

City Council / / Housing Authority / / Other / / (GC 54957.1)

**March 20, 2012**

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

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

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

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

**No Reportable Action**

**Continue**

**Approved**

/ /

/ /

/ /

Disposition: \_\_\_\_\_

Reported by: \_\_\_\_\_  
City Attorney / City Manager / Executive Director



# **CITY OF ONTARIO**

*Agenda Report*  
March 20, 2012

**SECTION:**  
**CONSENT CALENDAR**

**SUBJECT: CONSTRUCTION CONTRACT FOR SOUND INSULATION OF 56 HOUSES  
UNDER THE ONTARIO QUIET HOME PROGRAM**

**RECOMMENDATION:** That the City Council reject any and all non-responsive bids; award Contract No. P150-1112-02 (on file with the Records Management Department) to S&L Specialty Contracting, Inc. of Syracuse, New York in the amount of \$1,438,000 plus 15% contingency of \$215,700 for a total not to exceed amount of \$1,653,700 to sound insulate 56 houses; and authorize the City Manager, or his designee, to execute the contract, other related documents necessary to implement said contract, and file a Notice of Completion at the conclusion of all construction activities related to this contract.

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

**FISCAL IMPACT:** The Federal Aviation Administration (FAA) and Los Angeles World Airports (LAWA) awarded sound insulation grants to fund the specified work under the proposed contract. The adopted Fiscal Year 2011-12 Quiet Home Program budget includes appropriations to implement the contract. Therefore, there will be no impact to the City's General Fund.

**BACKGROUND:** City staff solicited bids for Contract No. P150-1112-02 as part of a 56-house sound insulation project under the Quiet Home Program. On February 16, 2012, the City received a total of eight (8) bids for the proposed contract. The project architect, The Jones Payne Group, estimated the cost of construction as \$1,686,591.

The bid results were as follows:

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

Prepared by: Ivette Iraheta  
Department: Housing Agency

City Manager  
Approval: 

Submitted to Council/O.R.A./O.H.A. 3/20/2012

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

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

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

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<b>Company</b>	<b>Location</b>	<b>Bid Amount</b>
<b>S&amp;L Specialty Contracting, Inc.</b>	<b>Syracuse, NY</b>	<b>\$1,438,000</b>
SPEC Construction Co., Inc.	Rancho Cucamonga, CA	\$1,487,799
Karabuild Development, Inc.	Encino, CA	\$1,529,999
Sam Boo Construction Co.	Los Angeles, CA	\$1,608,000
G&G Specialty Contractors, Inc.	Phoenix, AZ	\$1,622,507
Cal-City Construction, Inc.	Cerritos, CA	\$1,646,677
NSA Construction Group, Inc.	Tarzana, CA	\$1,678,000
Everlast Builders, Inc.	Canyon Country, CA	\$2,005,000

Program staff and the project architect reviewed the bid submittals and determined that S & L Specialty Contracting, Inc. (S&L) is the lowest responsible and responsive bidder to perform the specified sound insulation work. FAA has issued a letter of concurrence to award the contract to S&L. The contractor's bid is almost 15 percent below the architect's probable cost of construction. Five (5) of the other bids were also deemed responsible and responsive and two (2) bids were deemed incomplete and unresponsive. The bid ranges were from 14.7% to .05% below the architect's probable cost of construction, and one (1) bid was 18.9% above the architect's probable cost of construction. S&L has listed two (2) certified Disadvantaged Business Enterprises (DBE) firms for the project, for a total of 3.4% participation. This exceeds the Quiet Home Program's overall annual DBE goal of 2.9%.

S&L Specialty Contracting, Inc. has extensive sound insulation construction experience and has performed this type of work throughout the country. Between 2004 and January 2012, the contractor completed six (6) separate sound insulation projects for the City of Ontario, totaling 435 houses. Currently, S&L is working on a 58 unit project, which is part of the Phase 9 project. S&L's work performance to date has demonstrated high-quality and an ability to complete projects on schedule. S&L's crew is efficient in responding to City staff's and the homeowners' concerns during construction and is quick to address any issue. References were checked and no unsatisfactory issues were noted. The contractor will maintain an office and a warehouse in the City of Ontario for the duration of the contract. Construction work is anticipated to start in the summer of 2012 and be completed by winter 2013.

The houses in this project are located throughout neighborhoods generally bounded on the north by Nocta Street, on the south by Maple Street, on the east by Grove Avenue, and on the west by Palm Avenue. A location map is provided on Exhibit "A." Sound insulation work includes installation of acoustic doors and windows, central air conditioning, heating and ventilation systems, attic insulation, vent baffles and other noise reducing improvements. These improvements help enhance the quality of life of the homeowners, eliminate certain health and safety conditions, and enhance the energy efficiency of the homes. Safety is improved by installing new electrical panels, smoke detectors, carbon monoxide detectors, acoustic windows that meet emergency egress requirements and removing unsafe electrical wiring from sound insulation work areas. Energy efficiency benefits include the incorporation of SEER (Seasonal Energy Efficiency Ratio) 14 rated condensing units, 90% efficiency-rated force air units, and Energy Star windows with heat-resistant glass coating. All sound insulation and related work is done at no cost to the homeowners.

To date, the program has sound insulated 1,204 units and expended over \$30 million in construction funds, using FAA and LAWA sound insulation grants. After completion of this proposed project, and current projects, the program will have sound insulated over 1,300 houses.



# CITY OF ONTARIO

*Agenda Report*  
March 20, 2012

SECTION:  
CONSENT CALENDAR

**SUBJECT:** AMENDMENT TO THE PROFESSIONAL SERVICES AGREEMENT WITH THE JONES PAYNE GROUP, INC., FOR ARCHITECTURAL, ENGINEERING, AND ACOUSTICAL SERVICES FOR THE QUIET HOME PROGRAM


**RECOMMENDATION:** That the City Council approve Amendment No. 2 to the professional services agreement (on file in the Records Management Department) with The Jones Payne Group, Inc. of Boston, Massachusetts, to provide architectural, engineering, and acoustical services for a new sound insulation project known as Phase 10 in the not-to-exceed amount of \$998,248; extend the agreement for an additional one-year; and authorize the City Manager, or his designee, to execute the amendment and all other related documents necessary to implement said amendment.

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

**FISCAL IMPACT:** The Federal Aviation Administration (FAA) and Los Angeles World Airports (LAWA) have awarded a total of \$7.5 million in new Part 150 noise mitigation grants to the City. The new grants will fully fund the costs for all services under the proposed amendment. The current contract value is \$1,428,521. Amendment No. 2 will increase the maximum compensation amount by \$998,248 to \$2,426,769. Quiet Home Program budget appropriations are sufficient to cover the current year of services under the proposed amendment. There is no impact to the City's General Fund.

**BACKGROUND:** On September 15, 2009, the City Council approved a Professional Services Agreement between the City and the consultant to provide architectural, engineering, acoustical and limited construction administration services for a 75-home sound insulation project known as Phase 8. On October 19, 2010 the City Council approved Amendment No. 1 to the agreement for the necessary architectural, engineering and acoustical consulting services for a project known as Phase 9, which included sound insulating approximately 200 homes. Between September 2011 and January 2012, FAA

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

Prepared by: Ivette Iraheta  
Department: Housing Agency  
City Manager Approval: 

Submitted to Council/O.R.A./O.H.A. 3/20/2012  
Approved: \_\_\_\_\_  
Continued to: \_\_\_\_\_  
Denied: \_\_\_\_\_

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and LAWA awarded the City another \$7.5 million in grants to sound insulate up to an additional 250 homes under a project known as Phase 10. Program staff recommends amending the original agreement a second time for the necessary architectural, engineering and acoustical services for Phase 10. This will extend the term of the agreement by an additional year from July 1, 2013 to June 30, 2014.

In accordance with FAA consultant procurement guidelines, program staff successfully negotiated the required scope of services and fee structure with the consultant for the proposed Phase 10 amendment. The negotiated rates for Phase 10 represent a 19% reduction when compared to the per unit rate for Phase 9 and about a 35% reduction when compared to the per unit rate for Phase 8. This reduction is attributed to the greater number of houses that the contract will cover under Phase 10, the agreed upon scope of services for Phase 10, and aggressive fee negotiations held with the consultant. Staff compared the negotiated architectural and engineering rate structures with that of other sound insulation programs in the region and found the negotiated rates to be reasonable and highly competitive. Upon reviewing the record of negotiations, the FAA issued a formal letter concurring with the negotiated rate structure and with staff's recommendation to amend the agreement for Phase 10 services.

Since 2001, The Jones Payne Group has consistently provided a high level of professional services and brought extensive sound insulation experience to the Quiet Home Program and Ontario homeowners. To date, the consultant has provided services for 12 City projects involving approximately 700 sound insulated homes. For Phase 9, the consultant has already completed all design and bidding documents for three different bid projects to sound insulate approximately 200 homes. Given the consultant's long term involvement with the program, the consultant's team members have been able to foster trust with project participants and gain extensive knowledge of the housing stock impacted by aircraft noise. The consultant will continue to maintain its Ontario office, from which to conduct these and future services. Their entire Ontario-based team is bilingual (English/Spanish), which further enables their ability to communicate and respond to the particular needs of our project participants.

Staff estimates that construction work on Phase 10 will start during the fall of 2012 and be completed by summer of 2014. The homes in Phase 10 are located throughout neighborhoods generally bounded on the north by Park Street, on the south by Francis Street, on the east by Bon View Avenue, and on the west by Vine Avenue. To date, the program has sound insulated 1,204 homes, brought noise relief to approximately 4,000 residents and expended approximately \$30,000,000 in construction funds using FAA and LAWA grants. After completion of Phase 9 and 10, staff estimates the program will have sound insulated approximately 1,500 homes and expended about \$37,000,000 in construction.

The City Attorney's office has reviewed and approved, as to form and content, the proposed amendment.



# CITY OF ONTARIO

Agenda Report  
March 20, 2012

SECTION:  
CONSENT CALENDAR

**SUBJECT: AN ORDINANCE REPEALING ORDINANCE NO. 2938 ELECTING TO PARTICIPATE IN THE ALTERNATIVE VOLUNTARY REDEVELOPMENT PROGRAM PURSUANT TO HEALTH AND SAFETY CODE SECTION 34192**

**RECOMMENDATION:** That the City Council introduce and waive further reading of an ordinance repealing Ordinance No. 2938 electing to participate in the Alternative Voluntary Redevelopment Program Pursuant to Health and Safety Code Section 34192.

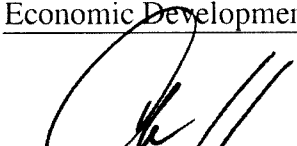
**COUNCIL GOALS:** Develop Strategies and Take Actions, Including Regaining Local Control of the Ontario International Airport, to Minimize the Negative Impacts of the Global Financial Downturn on Ontario's Economy and the City's Fiscal Health  
Invest in the Growth and Evolution of the City's Economy

**FISCAL IMPACT:** None.

**BACKGROUND:** On June 28, 2011, as part of the State of California's Fiscal Year 2011-2012 budget bill, companion bills Assembly Bill 1X 26 and Assembly Bill 1X 27 were enacted dissolving the Ontario Redevelopment Agency, unless the City of Ontario elected to participate in the Alternative Voluntary Redevelopment Program established by Assembly Bill 1X 27 and agreed to pay an annual community remittance payment to the County of San Bernardino. Pursuant to Assembly Bill 1X 27, the City Council adopted Ordinance No. 2938, on August 16, 2011, agreeing to make the community remittance payment in order to avoid dissolution of the Agency.

On July 18, 2011, a Petition for Writ of Mandate was filed in the Supreme Court of the State of California in the matter of *California Redevelopment Association, et al. v. Ana Matosantos, et al.*, challenging the constitutionality of Assembly Bill 1X 26 and Assembly Bill 1X 27 on behalf of cities, counties and redevelopment agencies. On December 29, 2011, the Supreme Court issued its opinion in the legal action upholding Assembly Bill 1X 26 invalidating Assembly Bill 1X 27 in effect dissolving

**STAFF MEMBER PRESENTING:** John Andrews, Economic Development Director

Prepared by: John Andrews  
Department: Economic Development  
City Manager Approval: 

Submitted to Council/O.R.A./O.H.A. **3/20/2012**  
Approved: \_\_\_\_\_  
Continued to: \_\_\_\_\_  
Denied: \_\_\_\_\_

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the Agency effective February 1, 2012. As a result of the Supreme Court's opinion invalidating Assembly Bill 1X 27, Ordinance No. 2938 is invalid and needs to be repealed.



# CITY OF ONTARIO

*Agenda Report*  
March 20, 2012

**SECTION:**  
**CONSENT CALENDAR**

**SUBJECT: A RESOLUTION APPROVING A RECOGNIZED OBLIGATION PAYMENT SCHEDULE PURSUANT TO CALIFORNIA HEALTH AND SAFETY CODE SECTION 34177**

**RECOMMENDATION:** That the City of Ontario as the Successor Agency of the dissolved Ontario Redevelopment Agency adopt a resolution approving the Redevelopment Agency's Recognized Obligation Payment Schedule.

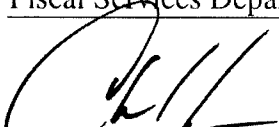
**COUNCIL GOALS:** Develop Strategies and Take Actions, Including Regaining Local Control of the Ontario International Airport, to Minimize the Negative Impacts of the Global Financial Downturn on Ontario's Economy and the City's Fiscal Health  
Invest in the Growth and Evolution of the City's Economy

**FISCAL IMPACT:** This action lists and restates existing obligations previously approved by the Agency/City in the form of a Recognized Obligation Payment Schedule (ROPS). This schedule of obligations replaces the interim Enforceable Obligation Payment Schedule (EOPS). The County Auditor-Controller will allocate property tax revenues to the successor agencies to pay those debts listed on the ROPS.

**BACKGROUND:** On August 16, 2011, the City Council adopted an ordinance agreeing to participate in the Voluntary Alternative Redevelopment Program (VARP), which would have allowed the Ontario Redevelopment Agency (Agency) to continue to operate and use its assets and tax increment revenues for redevelopment purposes. This action was required by Assembly Bill 1X 26 which would have abolished the Agency effective October 1, 2011 unless the City complied with Assembly Bill 1X 27, and agreed to pay the voluntary payment under the VARP.

In August 2011, the California Supreme Court issued a partial stay on the effectiveness of Assembly Bills 1X26 and 1X 27 until the Court could rule on the constitutionality of the two bills. However, Section 34161 through 34167 of the California Health and Safety Code remained in effect. These sections called for the suspension of non-administrative redevelopment activities and required the

**STAFF MEMBER PRESENTING:** John Andrews, Economic Development Director

Prepared by: Doreen M. Nunes  
Department: Fiscal Services Department  
City Manager Approval: 

Submitted to Council/O.R.A./O.H.A. **3/20/2012**  
Approved: \_\_\_\_\_  
Continued to: \_\_\_\_\_  
Denied: \_\_\_\_\_

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# **CITY OF ONTARIO**

## *Agenda Report*

March 20, 2012

## **SECTION: CONSENT CALENDAR**

**SUBJECT: ADOPTION OF AMENDED CITY OF ONTARIO LOCAL GUIDELINES FOR IMPLEMENTING THE CALIFORNIA ENVIRONMENTAL QUALITY ACT ("CEQA")**

**RECOMMENDATION:** That the City Council adopt a resolution approving the 2012 revisions to the "City of Ontario Local Guidelines for Implementing the California Environmental Quality Act" (on file in the Records Management Department).

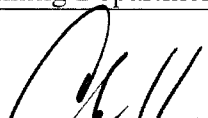
**COUNCIL GOALS:** Develop Strategies and Take Action, Including Regaining Local Control of the Ontario International Airport, to Minimize the Negative Impacts of the Global Financial Downturn on Ontario's Economy and the City's Fiscal Health  
Invest in the Growth and Evolution of the City's Economy

**FISCAL IMPACT:** None.

**BACKGROUND:** The California Environmental Quality Act (CEQA) requires that environmental concerns be considered as a part of all public and private projects. In order to implement the provisions of the Act, all public agencies are required to adopt objectives, criteria and specific procedures consistent with CEQA and the State CEQA Guidelines for evaluating the potential environmental issues that may arise in relation to all projects. Local procedures should be revised periodically to conform to any statutory changes in CEQA, any revisions made to the State Guidelines, and to address environmental concerns that exist at the local level.

The City of Ontario last updated its local guidelines in November of 2011. Since that time, the California Legislature has passed bills requiring changes in local procedures for implementing CEQA. In addition to the new legislation, several court cases resulted in procedural changes that need to be included in the updated City local guidelines. The City Attorney's office, Best Best & Krieger, prepared the changes to the City of Ontario's Local Guidelines for Implementing CEQA that are necessary in order for the City to comply with the new laws and procedural requirements. A summary of the recommended amendments is provided as Exhibit "A."

**STAFF MEMBER PRESENTING:** Jerry L. Blum, Planning Director

Prepared by: Richard Ayala  
Department: Planning Department  
City Manager Approval:   
Approval: \_\_\_\_\_

Submitted to Council/O.R.A./O.H.A. 3/20/2012  
Approved: \_\_\_\_\_  
Continued to: \_\_\_\_\_  
Denied: \_\_\_\_\_

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The 2012 update to the City of Ontario Local Guidelines for Implementing CEQA shall be distributed to all applicable City departments. The Local Guidelines shall be reviewed periodically for conformance with future State Legislation and changes to the State CEQA Guidelines.



# CITY OF ONTARIO

*Agenda Report*  
March 20, 2012

**SECTION:  
CONSENT CALENDAR**

**SUBJECT: APPLICATION FOR A STATE OF CALIFORNIA DEPARTMENT OF ALCOHOLIC BEVERAGE CONTROL GRANT**

**RECOMMENDATION:** That the City Council authorize the City Manager to apply for and execute grant documents to accept a 12-month grant for a maximum of \$25,000 to assist in funding overtime enforcement operations for an Alcoholic Beverage Control (ABC) Investigator to address alcohol-related problems in the community.

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

**FISCAL IMPACT:** The ABC Grant Program will reimburse the City for up to \$25,000 of overtime costs incurred while conducting field enforcements. The City is required to expend funds prior to receiving monthly reimbursement. If the City is awarded the grant, additional budget appropriations and corresponding revenue will be included in the Fiscal Year 2012-13 Proposed Budget. The City is not required to provide matching funds.

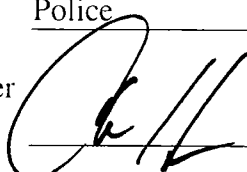
**BACKGROUND:** Funding for this grant program is awarded to local law enforcement agencies through the California State Budget Act 2011. These grant funds are distributed by ABC to help address and mitigate "disruptive and disorderly" alcoholic beverage retail outlets. The grant requires a sworn officer to be appointed to the program, work directly with an ABC Investigator, and receive training in ABC alcohol enforcement strategies. If awarded, this will be the fifth year (previously awarded in FY06-07, FY07-08, FY10-11, and FY11-12) that the Ontario Police Department has participated in the ABC enforcement program. Previous years have resulted in higher rates of business compliance, the closure of habitual non-compliant business offenders, and have made the Ontario Police Department a resource for law enforcement agencies throughout California.

**STAFF MEMBER PRESENTING:** Eric Hopley, Chief of Police

Prepared by: Donna Bailey

Department: Police

City Manager

Approval: 

Submitted to Council/O.R.A./O.H.A. 3/20/2012

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

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

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The proposed spending plan is as follows:

• Personnel Overtime	\$22,500
• Travel/training	
- 2012 GAP Conference	2,000
• Operating Expenses	
- Buy money	<u>500</u>
<b>TOTAL</b>	<b><u>\$25,000</u></b>



# CITY OF ONTARIO

*Agenda Report*  
March 20, 2012

SECTION:  
CONSENT CALENDAR

**SUBJECT: APPLICATION FOR A GRANT FROM THE CALIFORNIA OFFICE OF TRAFFIC SAFETY (OTS) FY2013 SOBRIETY CHECKPOINT PROGRAM**

**RECOMMENDATION:** That the City Council authorize the City Manager to execute all documents necessary to apply for and accept a 12-month grant in the amount of \$356,051 from the California Office of Traffic Safety (OTS) for participation in the FY2013 Sobriety Checkpoint Grant Program.

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

**FISCAL IMPACT:** Grant awards will be announced in May 2012 and the grant period is October 1, 2012 – September 30, 2013. This is a reimbursable grant program funding police overtime and supplies to conduct sobriety checkpoints. The approximate grant funding reimbursement is \$356,051. The City is not required to provide matching funds for this grant. If awarded, the revenue and associated expenditure adjustments will be included in the Fiscal Year 2012-13 First Quarter Budget Report.

**BACKGROUND:** The California Office of Traffic Safety (OTS), through the National Highway Traffic Safety Administration (NHTSA), is offering local law enforcement agencies overtime grants to conduct sobriety checkpoints. The grant period includes two "National Impaired Driving Campaign" mobilization periods: Winter holiday period is from December 14, 2012 through January 1, 2013; and Labor Day period is from August 16, 2013 through September 2, 2013. A checkpoint will be scheduled during each of the mobilization periods. Additionally, the Ontario Police Department will conduct 22 reimbursable sobriety checkpoints outside the mobilization periods. The goal of the grant program is to reduce the number of people killed in alcohol-involved crashes through combined efforts of local law

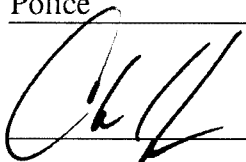
**STAFF MEMBER PRESENTING:** Eric V. Hopley, Chief of Police

Prepared by: Donna Bailey

Department: Police

City Manager

Approval:



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enforcement agencies, California Highway Patrol, and OTS. Each checkpoint will be conducted with approximately two supervisors, 20 officers, 8 technicians, and 2 clerical/other staff members.

Effective this fiscal year, the University of California, Berkeley Safe Transportation Research and Education Center (SafeTREC), will administer and coordinate the grants for OTS; and OTS will make funding decisions.



# CITY OF ONTARIO

Agenda Report  
March 20, 2012

SECTION:  
CONSENT CALENDAR

**SUBJECT:** APPLICATION FOR A CALIFORNIA OFFICE OF TRAFFIC SAFETY FOR DRIVING UNDER THE INFLUENCE AND EXCESSIVE SPEED ENFORCEMENT GRANT

**RECOMMENDATION:** That the City Council authorize the City Manager to execute all documents necessary to apply for and accept a 12-month grant award in the amount of \$174,350 from the Office of Traffic Safety (OTS) for driving under the influence and excessive speed enforcement activities.

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

**FISCAL IMPACT:** Grant awards will be announced in July 2011, and the grant performance period is October 1, 2012 through September 30, 2013. If awarded, the revenue and associated expenditure adjustments will be included in the Fiscal Year 2012-13 First Quarter Budget Report. This is a quarterly reimbursable grant requiring the City to expend funds prior to receiving payment from OTS. The City is not required to provide any matching funds. The estimated grant reimbursement is \$174,350 comprised of \$136,200 for overtime enforcements and \$38,150 for equipment, materials, and travel expenses.

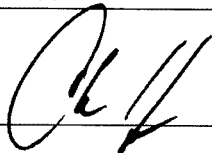
**BACKGROUND:** OTS distributes federal funding apportioned to the State of California under the National Highway Safety Act and the Transportation Equity Act for the 21<sup>st</sup> Century. Grants are used to mitigate traffic safety program deficiencies, expand ongoing activities, or develop new programs. This 12-month State grant, if awarded, will fund the following:

- 60 DUI/Drivers License Enforcements
    - 24 Saturation Patrols \$ 91,200
    - 36 Special Enforcement Operations 45,000
- \$136,200

**STAFF MEMBER PRESENTING:** Eric Hopley, Chief of Police

Prepared by: Donna Bailey  
Department: Police

City Manager  
Approval:



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• OTS Mandatory Training Expenses	\$ 5,000
• Traffic Safety Equipment	
- 1 Light trailer	12,200
- 4 Citation devices	12,000
- 2 Motorcycle radios	7,200
- Checkpoint supplies	<u>1,750</u>
<b>TOTAL</b>	<b><u>\$174,350</u></b>