



CITY OF ONTARIO

Regular City Council/Housing Authority/Ontario Public Financing Authority Meeting MARCH 7, 2023

City Hall

303 East B Street, Ontario, CA 91764

MAYOR PAUL S. LEON • MAYOR PRO TEM DEBRA DORST-PORADA
COUNCIL MEMBERS ALAN D. WAPNER, JIM W. BOWMAN AND RUBEN VALENCIA

CITY CLERK SHEILA MAUTZ • TREASURER JAMES R. MILHISER
CITY MANAGER SCOTT OCHOA • CITY ATTORNEY RUBEN DURAN

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 in person 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. To comment by email, submit your comments no later than 4:00 p.m. on the day of the meeting by emailing your name, agenda item you are commenting on and your comments to publiccomments@ontarioca.gov. All comments received by the deadline will be forwarded to the City Council for consideration before action is taken on the matter and will be entered into the record.

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 the chamber will not be permitted. All those wishing to speak including Council and Staff need to be recognized by the Chair before speaking.

ACCOMODATIONS

If you need special assistance or accommodations to participate in this meeting, please contact the City Clerk's office at 909-395-2009. Notification of 48 hours prior to the meeting will help the City make reasonable arrangements. Equipment for the hearing impaired is available in the Records Management Office.

ORDER OF BUSINESS

The regular City Council, Housing Authority and Ontario Public Financing 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.

CALL TO ORDER (OPEN SESSION)

ROLL CALL

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

CLOSED SESSION PUBLIC COMMENT

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

CLOSED SESSION

GC 54956.8, CONFERENCE WITH REAL PROPERTY NEGOTIATORS

Property: APN: 1049-151-22, 1135 E. State Street; City/Authority negotiator: Scott Ochoa or his designee; Negotiating parties: Richard F. Barba; Under negotiation: Price and terms of payment.

GC 54956.8, CONFERENCE WITH REAL PROPERTY NEGOTIATORS

Property: APN: 0210-204-17 City/Authority negotiator: Scott Ochoa or his designee; Negotiating parties: San Juan Owners LLC; Under negotiation: Price and terms of payment.

ATTACHMENT: [20230307 Closed Session](#)

PLEDGE OF ALLEGIANCE

Council Member Valencia

INVOCATION

Pastor Peter Edwardson Calvary Baptist Church

REPORT ON CLOSED SESSION

City Attorney

PUBLIC COMMENTS

6:30 P.M.

The Public Comment portion of the Council/Housing Authority/Ontario Public Financing 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.

To comment by email, submit your comments by email no later than 4:00 p.m. on the day of the meeting by emailing your name, agenda item you are commenting on and your comment to publiccomments@ontarioca.gov. All Comments received by the deadline will be forwarded to the City Council for consideration before action is taken on the matter and entered into the record. 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 meetings of the City Council, Housing Authority, and Successor Agency to the Redevelopment Agency of February 7, 2023 and approving same as on file in the Records Management Department.

2. BILLS & PAYROLL

Bills February 10, 2023 through February 23, 2023, and Payroll January 29, 2023 through February 11, 2023 when audited by the Finance Committee.

3. AN AMENDMENT TO THE GOODS AND SERVICES AGREEMENT FOR AMERICAN RECLAMATION, INC.

That the City Council approve and authorize the City Manager or his designee to execute Amendment No. 2 to the Goods and Services Agreement (on file with Records Management Department) with American Reclamation, Inc. of Los Angeles, California, for Scrap Tire Recycling Services for a second one-year extension of \$55,000 for a new not-to-exceed amount of \$155,000.

4. AN AMENDMENT TO THE PROFESSIONAL SERVICES AGREEMENT FOR ENGINEERING AND DESIGN SERVICES FOR THE I-10 FREEWAY AT GROVE AVENUE AND FOURTH STREET INTERCHANGE AND GROVE AVENUE CORRIDOR PROJECT

That the City Council approve Amendment No. 8 to the Professional Services Agreement (on file in the Records Management Department) with Parsons Corporation (Parsons) of Illinois, for additional engineering and design services for the I-10 Freeway at Grove Avenue and Fourth Street Interchange and Grove Avenue Corridor Project in the amount of \$256,233; and authorize the City Manager, or his designee, to execute said Agreement and future amendments within the authorization limits.

5. ACCEPT A WRITTEN PETITION TO CREATE A COMMUNITY FACILITIES DISTRICT; ADOPT A RESOLUTION OF INTENTION TO ESTABLISH CITY OF ONTARIO COMMUNITY FACILITIES DISTRICT NO. 64 (SUNSET RANCH) AND TO AUTHORIZE THE ASSOCIATED LEVY OF SPECIAL TAXES; AND ADOPT A RESOLUTION TO INCUR BONDED INDEBTEDNESS

That the City Council consider and:

- A. Accept a written petition (on file with the Records Management Department) from KB Homes Coastal Inc., of California, located in Wildomar, California, to create a Community Facilities District, and to waive certain procedural matters, under the Mello-Roos Community Facilities Act of 1982;
- B. Adopt a Resolution of Intention to establish City of Ontario Community Facilities District No. 64 (Sunset Ranch) (the "CFD"), authorize the associated levy of special taxes therein; and set a public hearing for the formation of the CFD as part of the regularly scheduled City Council meeting on Tuesday, April 18, 2023; and
- C. Adopt a Resolution to Incur Bonded Indebtedness of proposed Community Facilities District No. 64 (Sunset Ranch).

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, OF INTENTION TO ESTABLISH A COMMUNITY FACILITIES DISTRICT, PROPOSED TO BE

NAMED CITY OF ONTARIO COMMUNITY FACILITIES DISTRICT NO. 64 (SUNSET RANCH), AND TO AUTHORIZE THE LEVY OF SPECIAL TAXES.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, TO INCUR BONDED INDEBTEDNESS OF THE PROPOSED CITY OF ONTARIO COMMUNITY FACILITIES DISTRICT NO. 64 (SUNSET RANCH).

ATTACHMENT: [CFD No. 64 Sunset Ranch^01 Resolution of Intention^RESO^RM](#)

ATTACHMENT: [CFD No. 64 Sunset Ranch^01A Map, EXH A.pdf](#)

ATTACHMENT: [CFD No. 64 Sunset Ranch^01B RMA, EXH C.pdf](#)

ATTACHMENT: [CFD No. 64 Sunset Ranch^02 Resolution to Incur Bonded Indebtedness^RESO^RM](#)

6. [2022 GENERAL PLAN ANNUAL PROGRESS REPORT AND 2022 HOUSING ELEMENT ANNUAL PROGRESS REPORT](#)

That the City Council consider and adopt a Resolution authorizing Staff to transmit the 2022 General Plan Annual Performance Report, which includes the 2022 Housing Element Annual Progress Report, to the California Department of Housing and Community Development and the Governor's Office of Planning and Research.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING THE 2022 GENERAL PLAN ANNUAL PROGRESS REPORT (FILE NO. PADV23-001), WHICH INCLUDES THE HOUSING ELEMENT ANNUAL PROGRESS REPORT, AND AUTHORIZING STAFF TO SUBMIT THE REPORTS TO THE CALIFORNIA DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT AND THE GOVERNOR'S OFFICE OF PLANNING AND RESEARCH.

ATTACHMENT: [PADV23-001 2022 GP HE APR^02 RESO^RM](#)

ATTACHMENT: [PADV23-001_2022_GP_HE_APR^03 GP APR](#)

7. [A DEVELOPMENT IMPACT FEE CREDIT AGREEMENT \(FILE NO. PDIF22-001\) BETWEEN THE CITY OF ONTARIO AND KB HOME COASTAL, INC., FOR FACILITY CONSTRUCTION ASSOCIATED WITH TRACT MAP NO. 18916, LOCATED NEAR THE SOUTHWEST CORNER OF ARCHIBALD AVENUE AND CHINO AVENUE, WITHIN THE COUNTRYSIDE SPECIFIC PLAN AND TRACT MAP NOS. 20158, 20159, AND 20160, LOCATED NEAR THE SOUTHEAST CORNER OF MILL CREEK AVENUE AND OLD EDISON AVENUE, WITHIN THE ESPERANZA SPECIFIC PLAN](#)

That the City Council approve the Development Impact Fee Credit Agreement (File No. PDIF22-001) between the City of Ontario and KB Home Coastal, Inc., for facility construction associated with Tract Map No. 18916, located near the southwest corner of Archibald Avenue and Chino Avenue, within the Countryside Specific Plan and Tract Map Nos. 20158, 20159, and 20160, located near the southeast corner of Mill Creek Avenue and Old Edison Avenue, within the Esperanza Specific Plan, and authorize the City Manager to execute the Agreement.

8. [AWARD OF A CONSTRUCTION CONTRACT FOR THE ONTARIO POLICE DEPARTMENT](#)

LOCKER AND GYM EXPANSION PROJECT

That the City Council take the following actions:

- A. Reject Modern Construction Management Inc.'s bid protest against Pub Construction, Inc. for D&C20-019 Ontario Police Department Locker and Gym Expansion project;
- B. Authorize the City Manager or his designee to execute Construction Contract No. D&C20-019 with Pub Construction, Inc. of Diamond Bar, California for the Ontario Police Department Locker and Gym Expansion project in the amount of \$1,559,000;
- C. Authorize a 10% contingency of \$155,900 for a new contract value of \$1,714,900 to address any unforeseen issues that arise during construction; and
- D. Authorize the City Manager or his designee to execute all documents required for the completion of the project including, but not limited to, contracts, agreements, assessments, easements, reduction of retention accounts, and filing a notice of completion at the conclusion of all construction related activities.

9. AMENDMENTS TO THE PROFESSIONAL SERVICES AGREEMENTS WITH KLEINFELDER, INC. FOR ON-CALL GEOTECHNICAL CONSULTING AND MATERIALS CONSULTING AND ON-CALL ARCHITECTURAL AND DESIGN SERVICES

That the City Council take the following actions:

- A. Authorize the City Manager or his designee to execute Amendment No. 21 to the Professional Services Agreement (on file in the Records Management Department) with Kleinfelder, Inc. of Ontario, California, to provide On-call Geotechnical Consulting and Materials Testing Services for the Grand Park Demo Project in the amount of \$16,900 for a new not-to-exceed total of \$1,707,935;
- B. Authorize the City Manager or his designee to execute Amendment No. 22 to the Professional Services Agreement (on file in the Records Management Department) with Kleinfelder, Inc. of Ontario, California, to provide On-call Geotechnical Consulting and Materials Testing Services for the CNG Compressor Replacement Project in the amount of \$4,679 for a new not-to-exceed total of \$1,712,614; and
- C. Authorize the City Manager or his designee to execute Amendment No. 9 to the Professional Services Agreement (on file in the Records Management Department) with Kleinfelder, Inc. of Ontario, California, to provide On-call Architectural and Design Services for the City Hall Campus Expansion Project in the amount of \$113,500 for a new not-to-exceed total of \$1,980,966.

10. A RESOLUTION APPROVING AN IMPROVEMENT AGREEMENT, IMPROVEMENT SECURITY, AND FINAL TRACT MAP NO. 20379, LOCATED AT THE NORTHWEST CORNER OF MOUNTAIN AVENUE AND VESTA STREET

That the City Council adopt a Resolution approving an Improvement Agreement, Improvement Security and Final Tract Map No. 20379, located at the northwest corner of Mountain Avenue and Vesta Street.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA,

APPROVING AN IMPROVEMENT AGREEMENT, IMPROVEMENT SECURITY AND FINAL TRACT MAP NO. 20379, LOCATED AT THE NORTHWEST CORNER OF MOUNTAIN AVENUE AND VESTA STREET

ATTACHMENT: [Tract Map 20379^1 EXH A](#)

ATTACHMENT: [Tract Map 20379^2 RESO^RM](#)

11. [AN AMENDMENT TO THE CENTRAL SQUARE PUBLIC SAFETY CAD SYSTEM CONTRACT](#)

That the City Council authorize the City Manager to execute Amendment No. 1 to the Professional Services Agreement (on file with the Records Management Department) with Central Square, the City's current public safety computer aided dispatch system vendor, to include additional connections to the City of Corona and interoperability throughout the State, in the amount of \$85,600 for an annual not-to-exceed amount of \$264,000.

12. [AN AGREEMENT FOR CITYWIDE DOOR ACCESS CONTROL SYSTEM REPLACEMENT AND MAINTENANCE](#)

That the City Council authorize the City Manager to execute a five-year Agreement (on file with the Records Management Department) with Convergent Technologies LLC, of Anaheim, California, to upgrade the City's existing door access control system and provide maintenance and support for five years, for a total not-to-exceed amount of \$281,593.

13. [PURCHASE OF EXPLOSIVE ORDNANCE DISPOSAL ROBOT](#)

That the City Council authorize the City Manager to execute the purchase of an Explosive Ordnance Disposal (EOD) Robot from ICOR Technology Inc. of Ottawa, Ontario, Canada in the amount of \$246,498.

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. Affidavits of posting compliance, for all items below, are on file with the Records Management Department.

14. [APPROVE THE SALE, RELATED DOCUMENTS AND OTHER ACTIONS RELATED TO THE ONTARIO PUBLIC FINANCING AUTHORITY, 2023 TAXABLE LEASE REVENUE BONDS \(THE "2023 BONDS"\)](#)

That the City Council and the Board of the Ontario Public Financing Authority adopt resolutions to approve and authorize the sale and execution of documents and approve related actions in connection with the issuance of the Ontario Public Financing Authority, 2023 Taxable Lease Revenue Bonds, including:

- A. That the Ontario Public Financing Authority adopt a Resolution of the Ontario Public Financing Authority authorizing the issuance of its Lease Revenue Bonds in the aggregate principal amount of not to exceed \$100,000,000 in connection with the financing of public capital improvements;
- B. Authorize and direct execution of an indenture of trust, lease agreement, memorandum of assignment, bond purchase and continuing covenant agreement, and agency agreement;
- C. Authorize the sale of the bonds and a placement agent agreement and authorizing official actions, and execution of related documents; and
- D. That the City Council adopt a Resolution authorizing proceedings and agreements relating to the financing of public capital improvements for public purposes, approving issuance and sale of bonds by the Ontario Public Financing Authority, approving a placement agent agreement and authorizing official actions.

A RESOLUTION OF THE ONTARIO PUBLIC FINANCING AUTHORITY OF THE CITY OF ONTARIO, CALIFORNIA, AUTHORIZING THE ISSUANCE OF ITS LEASE REVENUE BONDS IN THE AGGREGATE PRINCIPAL AMOUNT OF NOT TO EXCEED \$100,000,000 IN CONNECTION WITH THE FINANCING OF PUBLIC CAPITAL IMPROVEMENTS, AUTHORIZING AND DIRECTING EXECUTION OF AN INDENTURE, LEASE AGREEMENT, MEMORANDUM OF ASSIGNMENT, BOND PURCHASE AND CONTINUING COVENANT AGREEMENT AND AGENCY AGREEMENT, AUTHORIZING THE SALE OF THE BONDS AND A PLACEMENT AGENT AGREEMENT AND AUTHORIZING OFFICIAL ACTIONS AND EXECUTION OF RELATED DOCUMENTS.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, AUTHORIZING PROCEEDINGS AND AGREEMENTS RELATING TO THE FINANCING OF PUBLIC CAPITAL IMPROVEMENTS FOR PUBLIC PURPOSES, APPROVING ISSUANCE AND SALE OF BONDS BY THE ONTARIO PUBLIC FINANCING AUTHORITY, APPROVING A BOND PURCHASE AND CONTINUING COVENANT AGREEMENT, A PLACEMENT AGENT AGREEMENT AND AUTHORIZING OFFICIAL ACTIONS.

ATTACHMENT: [20230307_Ontario PFA 2023 LRBs - Resolution of Authority Authorizing Financing^01^OPFA RESO^RM.docx](#)

ATTACHMENT: [20230307_Ontario PFA 2023 LRBs - Resolution of the City Approving^02^CITY RESO^RM.docx](#)

STAFF MATTERS

City Manager Ochoa

COUNCIL MATTERS

Mayor Leon
Mayor pro Tem Dorst-Porada
Council Member Wapner

Council Member Bowman
Council Member Valencia

ADJOURNMENT

CITY OF ONTARIO
CLOSED SESSION REPORT
City Council // Housing Authority // Other // (GC 54957.1)
March 7, 2023

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

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

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

- GC 54956.8, CONFERENCE WITH REAL PROPERTY NEGOTIATORS
Property: APN: 1049-151-22, 1135 E. State Street; City/Authority negotiator: Scott Ochoa or his designee; Negotiating parties: Richard F. Barba; Under negotiation: Price and terms of payment.

No Reportable Action	Continue	Approved
/ /	/ /	/ /

Disposition: _____

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

- GC 54956.8, CONFERENCE WITH REAL PROPERTY NEGOTIATORS
Property: APN: 0210-204-17 City/Authority negotiator: Scott Ochoa or his designee; Negotiating parties: San Juan Owners LLC; Under negotiation: Price and terms of payment.

No Reportable Action	Continue	Approved
/ /	/ /	/ /

Disposition: _____

Reported by:

City Attorney / City Manager / Executive Director

**ONTARIO CITY COUNCIL/
ONTARIO HOUSING AUTHORITY
MINUTES
FEBRUARY 7, 2023
(Not Official Until Approved)**

JOINT MEETINGS

The regular meetings of the Ontario City Council and Housing Authority were held on Tuesday, February 7, 2023 at Ontario City Hall, 303 E. B Street Ontario, California.

CALL TO ORDER

Mayor Leon called the joint meetings to order at 5:32 p.m.

ROLL CALL

PRESENT:	Mayor/Chairman	Paul S. Leon
	Mayor pro Tem/Vice Chair:	Debra Dorst-Porada (arrived at 5:34 p.m.)
	Council/Authority Members:	Alan D. Wapner Jim W. Bowman, and Ruben Valencia

ABSENT: Council/Authority Members: None.

Also present were City Manager / Executive Director Scott Ochoa, City Attorney/Legal Counsel Ruben Duran, and City Clerk / Secretary Sheila Mautz.

CLOSED SESSION PUBLIC COMMENT

Mayor Leon inquired whether persons were present who wished to speak to the Closed Sessions items. Hearing no one, City Attorney Duran announced the matters for discussion as listed on the agenda, and the City Council recessed to Closed Session at 5:33 p.m. for discussion of the following:

- GC 54957, PUBLIC EMPLOYEE PERFORMANCE EVALUATION
Title: City Manager
- GC 54956.9(d)(1), GC GC 54957.6, LABOR NEGOTIATIONS: City Negotiator: City Manager or his designees; Bargaining Units: Ontario Police Officers Association

OPEN MEETING CALLED TO ORDER

Mayor Leon reconvened the meetings at 6:31 p.m. for the regular session.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Council Member Bowman.

INVOCATION

The invocation was led by Chairwoman of the Elders, Vicki Garcia First Christian Church Ontario.

REPORT ON CLOSED SESSION

City Attorney Duran announced that there was no reportable action.

PUBLIC COMMENTS

There were five emailed comments:

Jacqueline Pata, regarding zoning.

Dawn Hundley, regarding homeless shelters.

Nadya Bahena, upcoming events for Assemblymember Rodriguez.

Harvey Sherback, regarding solar installation.

Mayor Leon called upon the first speaker.

Randy Benkendam, spoke on the number of warehouses being built in the City.

Roque Romo, invited Council to the Ontario Fast Pitch game.

Chloe and Summer Butarbutar, announced upcoming events with the Chino Basin Water Conservation District and spoke on the importance of ground water.

Gloria Zamora, spoke on recent sand storms and the amount of dust that has been blown into her home.

Mayor Leon announced Assemblymember Rodriguez's upcoming event at Mestiza Coffee House.

AGENDA REVIEW/ANNOUNCEMENTS

City Manager Ochoa made no announcements

CONSENT CALENDAR

MOTION: Moved by Council Member Bowman, seconded by Mayor pro Tem Dorst-Porada and carried by unanimous vote 5-0, to approve the Consent Calendar.

1. APPROVAL OF MINUTES

Minutes for the regular meetings of the City Council and Housing Authority of January 3, 2023 and approving same as on file in the Records Management Department.

2. BILLS & PAYROLL

Bills from December 28, 2022 through January 19, 2023 in the amount of \$35,344,698.30 and Payroll from December 18, 2022 through January 14, 2023 in the amount of \$8,282,179.67, when audited by the Finance Committee.

3. A RESOLUTION APPROVING AN IMPROVEMENT AGREEMENT AND IMPROVEMENT SECURITY FOR FINAL TRACT MAP NO. 16486, LOCATED ON OLIVE STREET, APPROXIMATELY 655 FEET EAST OF BAKER AVENUE

The City Council adopted a Resolution approving an Improvement Agreement and Improvement Security for Tract Map No. 16486, located on Olive Street, approximately 655 feet east of Baker Avenue.

RESOLUTION NO. 2023-004 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING AN IMPROVEMENT AGREEMENT AND IMPROVEMENT SECURITY FOR FINAL TRACT MAP NO. 16486, LOCATED ON OLIVE STREET, APPROXIMATELY 655 FEET EAST OF BAKER AVENUE.

4. A CONSTRUCTION CONTRACT FOR THE 2022 SPRING ALLEY CDBG PAVEMENT REHABILITATION PROJECT

The City Council awarded a construction contract (on file in the Records Management Department) with Wheeler Paving, Inc. of Riverside, California, for the 2022 Spring Alley CDBG Pavement Rehabilitation Project (Project) in the amount of \$977,805; and authorize the City Manager, or his designee, to execute said contract and all related documents and file a notice of completion at the conclusion of all construction activities.

5. A RESOLUTION AUTHORIZING AN AMENDED AND RESTATED ACQUISITION AND FUNDING AGREEMENT WITH LENNAR HOMES OF CALIFORNIA, LLC

The City Council adopted a Resolution authorizing the execution of an Amended and Restated Acquisition and Funding Agreement between the City of Ontario and Lennar Homes of California, LLC (the "Developer") to provide for the future acquisition of completed public facilities constructed by and/or funded directly by the Developer, with the proceeds of City of Ontario Community Facilities District No. 55 (Parklane) (the "CFD") special tax bonds.

RESOLUTION NO. 2023-005 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, AUTHORIZING THE EXECUTION AND DELIVERY OF AN AMENDED AND RESTATED ACQUISITION AND FUNDING AGREEMENT.

6. A RESOLUTION APPROVING AN IMPROVEMENT AGREEMENT AND IMPROVEMENT SECURITY FOR PROJECT NO. PDEV21-013 LOCATED AT THE SOUTHEAST CORNER OF HAVEN AVENUE AND FOURTH STREET

The City Council adopted a Resolution approving an Improvement Agreement and Improvement Security for Project No. PDEV21-013, located at the southeast corner of Haven Avenue and Fourth Street, within the Piemonte Overlay of the Ontario Center Specific Plan area.

RESOLUTION NO. 2023-006 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING AN IMPROVEMENT AGREEMENT AND IMPROVEMENT SECURITY FOR PROJECT NO. PDEV21-013 LOCATED AT THE SOUTHEAST CORNER OF HAVEN AVENUE AND FOURTH STREET.

7. A MODIFICATION TO THE EASEMENT AGREEMENT BETWEEN THE CITY OF ONTARIO AND NATIONAL RAILROAD PASSENGER CORPORATION

The City Council approved a Modification to Easement Agreement No. 2 between the City of Ontario and National Railroad Passenger Corporation (Amtrak) and authorized the City Manager to execute the Agreement and all other related documents.

8. AN AMENDMENT TO A PROFESSIONAL SERVICES AGREEMENTS FOR ON-CALL ARCHITECTURAL SERVICES

The City Council ("City") and Ontario Housing Authority ("Board Authority") approved and authorized the City Manager/Executive Director to execute Amendment No. 13 to Professional Services Agreements with Robert Borders & Associates to increase the not-to-exceed amount by \$89,388 to \$459,468.

9. AN AMENDMENT TO THE PROFESSIONAL SERVICES AGREEMENT FOR THE CONSULTING SERVICES TO MANAGE AND MAINTAIN THE CITY'S ENTERPRISE GEOGRAPHIC INFORMATION SYSTEM

The City Council authorized the City Manager to execute an Amendment to the current Agreement (on-file with the Records Management Department) with Geographic Information Services, Inc., Birmingham, Alabama, for consulting services to manage and maintain the City's Enterprise Geographic Information System (GIS) for a total not to exceed amount of \$700,000 and extend the term for three years.

10. APPROVAL OF ALLOCATION AND SPENDING PLAN FOR THE HOMELAND SECURITY GRANT ASSISTANCE PROGRAM (HSGP) FOR FISCAL YEARS 2020 AND 2021

The City Council approved and authorized the City Manager to execute all documents necessary to participate in Homeland Security Grant Assistance Program spending plan for 37,073 for FY20 and 36,426 for FY21.

11. APPROVAL OF ALLOCATION AND SPENDING PLAN FOR THE BUREAU OF JUSTICE ASSISTANCE EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE PROGRAM FOR FISCAL YEAR 2022

The City Council approved and authorized the City Manager to execute all documents to participate in the Bureau of Justice Assistance (BJA) Edward Byrne Memorial Justice Assistance Grant (JAG) Program; and approved the proposed \$48,930 grant spending plan.

12. A RESOLUTION APPROVING THE FILING OF AN APPLICATION FOR GRANT FUNDING FOR THE EUCLID AVENUE RECYCLED WATER PROJECT FROM THE STATE WATER RESOURCES CONTROL BOARD

The City Council adopted a resolution approving the filing of an application for grant funds from the State Water Resources Control Board for the Euclid Avenue Recycled Water Project and authorized the City Manager or designee to execute any documents including; applications, agreements, and request for reimbursements to carry out necessary project related activities and implement the program.

RESOLUTION NO. 2023-007 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING THE FILING OF AN APPLICATION FOR GRANT FUNDING FOR THE EUCLID AVENUE RECYCLED WATER PROJECT FROM THE STATE WATER RESOURCES CONTROL BOARD.

13. THREE AMENDMENTS TO THE SERVICE AGREEMENTS FOR ONTARIO MUNICIPAL SERVICES CENTER MODULAR OFFICES

The City Council took the following actions:

- A. Approved and authorized the City Manager, or designee to execute Amendment No. 2 to the Goods and Services Agreement (on file in the Records Management Department) with Williams Scotsman Inc. of Baltimore, Maryland, for a total not-to-exceed amount of \$28,727 and a term from May 18, 2021, to August 7, 2023, for modifications to the existing Ontario Municipal Service Center (OMSC) modular buildings.
- B. Approved and authorized the City Manager, or designee to execute Amendment No. 1 to the Maintenance Service Agreement (on file in the Records Management Department) with G.M. Sager Construction Company Inc. of Pomona, California, for a total not-to-exceed amount of \$128,058 and

a term from September 6, 2022, to June 30, 2027, for the modification and reconfiguration of the OMSC parking lot.

- C. Approved and authorized the City Manager, or designee to execute Amendment No. 5 to the Maintenance Service Agreement (on file in the Records Management Department) with Bay Alarm Co. of Concord, California, for a total not-to-exceed amount of \$37,496 and a term from July 1, 2020, to June 30, 2025, for the OMSC security system installation.

14. AN AMENDMENT TO DESIGN SERVICES AGREEMENT WITH RJM DESIGN GROUP FOR ON-CALL LANDSCAPE ARCHITECTURAL SERVICES FOR THE ONTARIO SPORTS COMPLEX PROJECT

The City Council authorized the City Manager or his designee to execute Amendment No. 3 to the Design Services Agreement (on file in the Records Management Department) for contract No. PM 1819-1 with RJM Design Group of San Juan Capistrano, California, to provide On-Call Landscape Architectural Services for the Ontario Sports Complex Project in a total amount of \$65,000 and a total not-to exceed amount of \$265,000.

15. DESIGNATION OF VOTING DELEGATES FOR THE SOUTHERN CALIFORNIA ASSOCIATION OF GOVERNMENTS (SCAG) ANNUAL GENERAL ASSEMBLY MEETING

The City Council appointed Mayor pro Tem Debra Dorst-Porada as the City Delegate Representative and Mayor Paul Leon as the alternate.

16. A SUPPORT SERVICES AGREEMENT WITH PLANETBIDS, INC.

The City Council authorized the City Manager or designee to execute a five-year Support Services Agreement (on file with the Records Management Department) with PlanetBids, Inc., of Studio City, California, for a Citywide Support Services Agreement for five years and a total contract amount not-to-exceed \$327,077.

ADMINISTRATIVE REPORTS/DISCUSSION/ACTION

17. A JOINT RESOLUTION AUTHORIZING THE CITY MANAGER / EXECUTIVE DIRECTOR TO EXECUTE CONTRACTS ON BEHALF OF THE CITY / AGENCY / AUTHORITY FOR THE ACQUISITION OF EQUIPMENT, MATERIALS, SUPPLIES, LABOR SERVICES OR OTHER ITEMS UP TO A MAXIMUM OF \$150,000, AND INTRODUCTION OF AN ORDINANCE AMENDING THE ONTARIO MUNICIPAL CODE RELATING TO PURCHASING AUTHORITY OF THE CITY MANAGER FOR PUBLIC PROJECTS

The City Council, Successor Agency to The Ontario Redevelopment Agency and Ontario Housing Authority took the following action:

- A. Adopted a Joint Resolution of the City of Ontario, Successor Agency to the Ontario Redevelopment Agency and Ontario Housing Authority increasing the City Manager's spending authority for the acquisition of equipment, materials, supplies, labor services or other items up to a maximum of \$150,000.
- B. Introduced an Ordinance to amend the Ontario Municipal Code to increase the City Manager's spending authority for Public Projects up to a maximum of \$150,000.

RESOLUTION NO. 2023-008/SA-019/OHA-113 A JOINT RESOLUTION OF THE CITY OF ONTARIO, SUCCESSOR AGENCY TO THE ONTARIO REDEVELOPMENT AGENCY AND ONTARIO HOUSING AUTHORITY AUTHORIZING THE CITY MANAGER / EXECUTIVE DIRECTOR TO EXECUTE CONTRACTS ON BEHALF OF THE CITY / AGENCY FOR THE ACQUISITION OF EQUIPMENT, MATERIALS, SUPPLIES, LABOR SERVICES OR OTHER ITEMS UP TO A MAXIMUM OF \$150,000.

ORDINANCE NO. 3242 (FIRST READING) AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, AMENDING SECTION 2-6.18(H) OF CHAPTER 6 OF TITLE 2 OF THE ONTARIO MUNICIPAL CODE RELATING TO PURCHASING AUTHORITY OF THE CITY MANAGER FOR PUBLIC PROJECTS.

MOTION: Moved by Mayor pro Tem Dorst Porada, seconded by Council Member Bowman and carried by unanimous vote 5-0, to adopt Resolution No. 2023-008/SA-019/OHA-113 and introduce Ordinance No. 3242.

STAFF MATTERS

City Manager Ochoa made no comments.

COUNCIL MATTERS

- **CITY COUNCIL APPOINTMENTS**

Mayor Leon indicated that he reviewed the list of current Council appointments and the listed appointments were still the best options for representation, with the exception of the Chino Basin Watermaster Board. Mayor Leon moved to change the primary to the Utilities General Manager, Scott Burton and Mayor pro Tem Dorst-Porada as the alternate.

MOTION: Moved by Mayor Leon, seconded by Council Member Bowman and carried by unanimous vote 5-0, to appoint the Utilities General Manager, Scott Burton as primary and Mayor pro Tem Dorst-Porada as the alternate, and keep the rest of the appointments the same.

Council Member Valencia spoke about hate mail that was distributed near his home and urged residents to call the Ontario Police Department if this is delivered to their homes.

Council Member Wapner complimented Mayor pro Tem Dorst-Porada for the Museum getting its accreditation.

Mayor Leon asked Utilities General Manager Scott Burton to speak on water reserves.

Utilities General Manager Burton clarified the path water takes after a storm.

Mayor Leon shared information regarding the changing cost of solar and the increasing cost of natural gas.

Mayor pro Tem Dorst-Porada thanked Museum Staff for the work at the Ontario Museum.

Council Member Bowman made no comments.

ADJOURNMENT

Mayor Leon adjourned the meetings of the Joint Agencies at 7:00 p.m. in memory of Mike Leon and announced the next regular meeting on February 21, 2023.

Respectfully submitted,

SHEILA MAUTZ, CITY CLERK/SECRETARY

APPROVED:

PAUL S. LEON, MAYOR/CHAIRMAN

CITY OF ONTARIO

Agenda Report
March 7, 2023

SECTION:
CONSENT CALENDAR

Department: Integrated Waste
Prepared By: Blaine M Ishii
Staff Member Presenting:
Tito Haes, Executive Director Public Works
Reviewed By: Andrea Ampig, Bonnie Tam
Approved By: 

Submitted To: Council/OHA
Approved: _____
Continued To: _____
Denied: _____
Item No: 3

SUBJECT: AN AMENDMENT TO THE GOODS AND SERVICES AGREEMENT FOR AMERICAN RECLAMATION, INC.

RECOMMENDATION: That the City Council approve and authorize the City Manager or his designee to execute Amendment No. 2 to the Goods and Services Agreement (on file with Records Management Department) with American Reclamation, Inc. of Los Angeles, California, for Scrap Tire Recycling Services for a second one-year extension of \$55,000 for a new not-to-exceed amount of \$155,000.

THE FOLLOWING COUNCIL GOALS ARE BEING ACHIEVED:
Operate in a Businesslike Manner

FISCAL IMPACT: Staff recommends amending the Agreement with a one-year extension and increase the contract amount by \$55,000 for a new not-to-exceed amount of \$155,000. The Fiscal Year 2022-23 Adopted Budget includes appropriations from the Integrated Waste Fund.

BACKGROUND & ANALYSIS: The City offers free tire drop-off services to residents at the Municipal Services Center and collects abandoned tires within the City. Staff also produces scrap tires from City operations. The program serves approximately 33,000 single-family homes and provides services to approximately 4,000 commercial and industrial businesses. American Reclamation, Inc. provides recycling services for the tires collected through the City's programs. The services are performed on an as-needed basis depending on the volumes produced and collected.

On June 19, 2020, the City solicited request for proposals (RFPs) for Scrap Tire Recycling services and received two responses from the following firms:

<u>COMPANY</u>	<u>LOCATION</u>
American Reclamation, Inc.	Los Angeles, California
Alpha Petroleum Transport, Inc. II	Corona, California

Using a qualifications-based selection process, the proposals were reviewed and scored by City staff from the Public Works Agency according to the scoring criteria outlined in the RFP. The criteria

consisted of the firm's profile and references. American Reclamation, Inc. was selected with the highest score for the proposed program.

In September 2020, the City entered into a one-year agreement with American Reclamation, Inc. for scrap tire recycling services in an amount not-to-exceed \$45,000. The agreement was amended in September 2021 with a one-year extension and increased the contract amount by \$55,000 for a not-to-exceed amount of \$100,000. Staff is now requesting to amend the agreement with a second one-year extension and increase the contract amount by \$55,000 for a new not-to-exceed amount of \$155,000.

CITY OF ONTARIO

Agenda Report
March 7, 2023

SECTION:
CONSENT CALENDAR

Department: Engineering
Prepared By: Jaime Maciel-Carrera
Staff Member Presenting:
Scott Murphy, Executive Director Community
Development
Approved By: 

Submitted To: Council/OHA
Approved: _____
Continued To: _____
Denied: _____
Item No: 4

SUBJECT: AN AMENDMENT TO THE PROFESSIONAL SERVICES AGREEMENT FOR ENGINEERING AND DESIGN SERVICES FOR THE I-10 FREEWAY AT GROVE AVENUE AND FOURTH STREET INTERCHANGE AND GROVE AVENUE CORRIDOR PROJECT

RECOMMENDATION: That the City Council approve Amendment No. 8 to the Professional Services Agreement (on file in the Records Management Department) with Parsons Corporation (Parsons) of Illinois, for additional engineering and design services for the I-10 Freeway at Grove Avenue and Fourth Street Interchange and Grove Avenue Corridor Project in the amount of \$256,233; and authorize the City Manager, or his designee, to execute said Agreement and future amendments within the authorization limits.

THE FOLLOWING COUNCIL GOALS ARE BEING ACHIEVED:

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 proposed Amendment No. 8 increases the Agreement amount by \$232,939, plus an additional ten percent (10%) contingency of \$23,294 for a revised not-to-exceed total of \$4,564,190.90.

The City's share of the Intersection Project is 44.4%, funded from General City Street Development Impact Fees. The balance of 55.6% is funded from SBCTA's Measure I Program. Upon approval, the appropriations from the General City Street Development Impact Fees of \$113,767 (44.4%) and \$142,466 (55.6%) from Measure I, will be included in the next Quarterly Budget Update.

BACKGROUND & ANALYSIS: The scope of the I-10 Freeway at Grove Avenue and Fourth Street Interchange ("Interchange") and Grove Avenue Corridor ("Corridor") Projects includes widening of the intersection of Grove Avenue and Holt Boulevard. The existing agreement with Parsons covers the Project Approval and Environmental Document (PA&ED) phase for the Interchange and Corridor, as well as the design of the Intersection improvements. The Interchange is currently in the PA&ED phase with completion of the Project Report and Environmental Document scheduled

for 2026. The Corridor and Intersection PA&ED phase was completed in July 2021. The Intersection currently operates at unacceptable levels of service during the morning and evening peak hours. In an effort to alleviate this current deficiency, improvements at the Intersection are being advanced ahead of the Interchange and Corridor Project. Amendment No. 8 will provide funding for final design of the Grove Ave/Holt Blvd intersection and for right-of-way agents.

CITY OF ONTARIO

Agenda Report
March 7, 2023

SECTION:
CONSENT CALENDAR

Department: Financial Services
Prepared By: Nathaniel Gibson
Staff Member Presenting:
Armen Harkalyan, Executive Director of Finance
Reviewed By: Cecilia House
Approved By: 

Submitted To: Council/OHA
Approved: _____
Continued To: _____
Denied: _____
Item No: 5

SUBJECT: ACCEPT A WRITTEN PETITION TO CREATE A COMMUNITY FACILITIES DISTRICT; ADOPT A RESOLUTION OF INTENTION TO ESTABLISH CITY OF ONTARIO COMMUNITY FACILITIES DISTRICT NO. 64 (SUNSET RANCH) AND TO AUTHORIZE THE ASSOCIATED LEVY OF SPECIAL TAXES; AND ADOPT A RESOLUTION TO INCUR BONDED INDEBTEDNESS

RECOMMENDATION: That the City Council consider and:

- A. Accept a written petition (on file with the Records Management Department) from KB Homes Coastal Inc., of California, located in Wildomar, California, to create a Community Facilities District, and to waive certain procedural matters, under the Mello-Roos Community Facilities Act of 1982;
- B. Adopt a Resolution of Intention to establish City of Ontario Community Facilities District No. 64 (Sunset Ranch) (the "CFD"), authorize the associated levy of special taxes therein; and set a public hearing for the formation of the CFD as part of the regularly scheduled City Council meeting on Tuesday, April 18, 2023; and
- C. Adopt a Resolution to Incur Bonded Indebtedness of proposed Community Facilities District No. 64 (Sunset Ranch).

THE FOLLOWING COUNCIL GOALS ARE BEING ACHIEVED:

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)

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

FISCAL IMPACT: The use of Mello-Roos financing for facilities in the residential development of the Sunset Ranch project is estimated to generate approximately \$23 million in bond proceeds to be used to fund a portion of the public infrastructure improvements needed to serve the project. Mello-Roos bonds are not a direct obligation of the City and are paid from special taxes levied on each taxable parcel in the

district; therefore, there is no fiscal impact to the General Fund from the issuance of Mello-Roos bonds. City Council approval will be required in future years to process annual special tax levies.

BACKGROUND & ANALYSIS: The Mello-Roos Community Facilities Act of 1982 provides local government, with the consent from a majority of the property owners, the authority to establish community facilities districts for the purpose of levying special taxes to finance various kinds of public infrastructure facilities and municipal services. Municipal services that may be funded by a community facilities district include: police protection services; fire protection and suppression services; ambulance and paramedic services; maintenance and lighting of parks, parkways, streets, roads, and open space; flood and storm drain protection services; and maintenance and operation of any real property or tangible property with an estimated useful life of five or more years that is owned by the governmental entity. Under the Mello-Roos Act, the initial steps in the formation of a community facilities district to finance public improvements and City services are to adopt Resolutions declaring the intention to establish a community facilities district, authorize the levy of special taxes, and issue bonds.

In the First Amended and Restated Agreement for the Financing and Construction of Limited Infrastructure Improvements to Serve an Easterly Portion of the New Model Colony ("First Amended and Restated Construction Agreement") between the City and NMC Builders, LLC, the City agreed to cooperate with the members of NMC Builders, LLC in the formation of community facilities districts to assist in the financing of the public improvements included in the agreement. KB Homes of California has provided a written petition to the City requesting formation of a community facilities district for the Sunset Ranch project in Ontario Ranch. The Sunset Ranch project addresses the development of two Zones, Zone 1 is approximately 51.49 gross acres located generally west of Hamner Avenue, east of Cleveland Avenue, south of Edison Avenue and north of Eucalyptus Avenue, and Zone 2 is approximately 9.88 gross acres located west of Archibald Avenue, east of Ontario Avenue, south of Chino Avenue, and north of Vista Street. At build out, the project is expected to include 468 residential units, comprised of 319 attached units and 113 detached units in Zone 1, and 36 detached units in Zone 2.

Included, as part of the Resolution of Intention is the proposed Rate and Method of Apportionment of Special Tax for the District. Under the proposed Rate and Method of Apportionment, the portion of the maximum annual special tax rates which will be used to fund debt service payments on the bonds is fixed and will not increase over time. As proposed, the amount of bonds authorized for the District (\$85 million) is set intentionally higher than the current estimated bond amount (approximately \$23 million) in order to allow future City Councils the option, without increasing the amount of the annual special taxes, to issue additional bonds to replace and/or construct new public infrastructure improvements in the future, or to fund municipal services. The term and structure of the Rate and Method of Apportionment of Special Tax for the Sunset Ranch project is consistent with those of previously adopted Rates and Methods of Apportionment for Ontario Ranch community facilities districts. This ensures that the special tax rates levied on all residential property owners in community facilities districts in Ontario Ranch are developed in a consistent and equivalent manner. In addition, under the provisions of the Mello-Roos Act, to ensure that home buyers are making an informed decision, all residential builders in the Ontario Ranch community facilities districts will be required to disclose the maximum annual special tax amount to each homeowner before entering into a sales contract.

List of infrastructure to be financed:

- Water and Recycled Water System Facilities
- Sewer System Facilities
- Storm Drain System Facilities
- Streets and Traffic Circulation System Facilities
- Fiber Optic System Facilities

City staff has discussed the proposed Rate and Method of Apportionment of Special Tax with the landowner. As proposed, the Resolution of Intention to establish the District and to levy special taxes will set the public hearing date on the formation of the community facilities district for the regularly scheduled City Council meeting on Tuesday, April 18, 2023, to consider the matter.

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, OF INTENTION TO ESTABLISH A COMMUNITY FACILITIES DISTRICT, PROPOSED TO BE NAMED CITY OF ONTARIO COMMUNITY FACILITIES DISTRICT NO. 64 (SUNSET RANCH), AND TO AUTHORIZE THE LEVY OF A SPECIAL TAX.

WHEREAS, Section 53318 of the Mello-Roos Community Facilities Act of 1982 (the "Act") provides that proceedings for the establishment of a community facilities district shall be instituted by a legislative body of a local agency when a petition requesting the institution of the proceedings signed by the owners of not less than 10% of the area of land proposed to be included in the community facilities district and not proposed to be exempt from the special tax proposed to be levied therein, describing the boundaries of the territory that is proposed for inclusion in the community facilities district and specifying the types of facilities and services to be financed by the community facilities district is filed with the clerk of the legislative body; and

WHEREAS, Section 53318 of the Act further provides that such a petition may not be acted upon until the payment of a fee in an amount that the legislative body determines, within 45 days of receiving such petition, is sufficient to compensate the legislative body for all costs incurred in conducting proceedings to create a community facilities district pursuant to the Act; and

WHEREAS, the City Council (the "City Council") of the City of Ontario (the "City") has received a written petition (the "Petition") from KB HOME Coastal Inc., a California corporation (the "Landowner"), requesting the institution of proceedings to establish a community facilities district (the "Community Facilities District") and to levy a special tax (the "Special Tax") in the Community Facilities District, describing the boundaries of the territory that is proposed for inclusion in the Community Facilities District and specifying the types of facilities and services to be financed by the Community Facilities District; and

WHEREAS, in connection with the request to institute proceedings to establish the Community Facilities District, the Landowner paid a fee in an amount that the City Council has determined is sufficient to compensate the City Council for all cost incurred in conducting proceedings to create the Community Facilities District pursuant to the Act; and

WHEREAS, the Landowner has represented and warranted to the City Council that the Landowner is the owner of 100% of the area of land proposed to be included within the Community Facilities District and not proposed to be exempt from the Special Tax; and

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

purpose, including, but not limited to, paying any cost incurred by the local agency in creating a community facilities district; and

WHEREAS, Section 53314.9 of the Act further provides that the legislative body may enter into an agreement, by resolution, with the person or entity advancing the funds, to repay all or a portion of the funds advanced, as determined by the legislative body, with or without interest, under all the following conditions: (a) the proposal to repay the funds is included in both the resolution of intention to establish a community facilities district adopted pursuant to Section 53321 of the Act and in the resolution of formation to establish a community facilities district pursuant to Section 53325.1 of the Act, (b) any proposed special tax is approved by the qualified electors of the community facilities district pursuant to the Act, and (c) any agreement shall specify that if the qualified electors of the community facilities district do not approve the proposed special tax, the local agency shall return any funds which have not been committed for any authorized purpose by the time of the election to the person or entity advancing the funds; and

WHEREAS, the City and the Landowner have entered into a Deposit and Reimbursement Agreement, dated as of July 1, 2022 (the "Deposit Agreement"), relating to the Community Facilities District, that provides for the advancement of funds by the Landowner to be used to pay costs incurred in connection with the establishment of the Community Facilities District and the issuance of special tax bonds thereby, and provides for the reimbursement to the Landowner of such funds advanced, without interest, from the proceeds of any such bonds issued by the Community Facilities District; and

WHEREAS, the City desires to include in this Resolution, in accordance with Section 53314.9 of the Act, the proposal to repay funds pursuant to the Deposit Agreement;

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

SECTION 1. The foregoing recitals are true and correct, and the City Council so finds and determines.

SECTION 2. The City Council hereby finds that the Petition is signed by the landowner owning the requisite area of land proposed to be included within the Community Facilities District and not proposed to be exempt from the Special Tax.

SECTION 3. The City Council proposes to establish a community facilities district under the terms of the Act. The boundaries of the territory proposed for inclusion in the Community Facilities District are described in the map showing the proposed Community Facilities District (the "Boundary Map") on file with the City Clerk of the City (the "City Clerk"), a copy of which is attached hereto as Exhibit A, which boundaries are hereby preliminarily approved and to which map reference is hereby made for further particulars. The City Clerk is hereby directed to sign the original Boundary Map and record, or cause to be recorded, the Boundary Map with all proper endorsements thereon in the office of the San Bernardino County Recorder within 15 days of the date of adoption

of this Resolution, all as required by Section 3111 of the California Streets and Highways Code.

SECTION 4. The name proposed for the Community Facilities District is “City of Ontario Community Facilities District No. 64 (Sunset Ranch).”

SECTION 5. The public facilities (the “Facilities”) proposed to be financed by the Community Facilities District pursuant to the Act are described under the caption “Facilities” on Exhibit B hereto, which is by this reference incorporated herein. Those Facilities proposed to be purchased as completed public facilities are described under the caption “Facilities to be Purchased” on Exhibit B hereto. The services (the “Services”) proposed to be financed by the Community Facilities District pursuant to the Act are described under the caption “Services” on Exhibit B hereto. The incidental expenses proposed to be incurred are identified under the caption “Incidental Expenses” on Exhibit B hereto. All or any portion of the Facilities may be financed through a financing plan, including, but not limited to, a lease, lease-purchase or installment-purchase arrangement.

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

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

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

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

SECTION 10. The City Council hereby fixes Tuesday, April 18, 2023, at 6:30 p.m., or as soon thereafter as the City Council may reach the matter, at 303 East B Street, Ontario, California, as the time and place when and where the City Council will conduct a public hearing on the establishment of the Community Facilities District; provided, that, in the event the April 18, 2023 City Council meeting is held via teleconference and/or videoconference only, the means by which the public may observe such public hearing and offer public comment shall be prescribed in the notice and agenda for such City Council meeting.

SECTION 11. The City Clerk is hereby directed to publish, or cause to be published, a notice of said public hearing one time in a newspaper of general circulation published in the area of the proposed Community Facilities District. The publication of said notice shall be completed at least seven days prior to the date herein fixed for said public hearing. Said notice shall contain the information prescribed by Section 53322 of the Act.

SECTION 12. The levy of the proposed Special Tax shall be subject to the approval of the qualified electors of the Community Facilities District at a special election. The proposed voting procedure shall be by mailed or hand-delivered ballot among the landowners in the Community Facilities District, with each owner having one vote for each acre or portion of an acre such owner owns in the Community Facilities District.

SECTION 13. Each officer of the City who is or will be responsible for providing one or more of the proposed types of Facilities or Services is hereby directed to study, or cause to be studied, the proposed Community Facilities District and, at or before said public hearing, file a report with the City Council containing a brief description of the Facilities and Services by type that will in his or her opinion be required to adequately meet the needs of the Community Facilities District, and his or her estimate of the cost of providing the Facilities and Services. Such officers are hereby also directed to estimate the fair and reasonable cost of the Facilities proposed to be purchased as completed public facilities and of the incidental expenses proposed to be paid. Such report shall be made a part of the record of said public hearing.

SECTION 14. The Landowner has heretofore advanced certain funds, and may advance additional funds, that have been or may be used to pay costs incurred in connection with the establishment of the Community Facilities District and the issuance of special tax bonds thereby. The City Council proposes to repay all or a portion of such

funds expended for such purpose, solely from the proceeds of such bonds, pursuant to the Deposit Agreement. The Deposit Agreement is hereby incorporated herein as though set forth in full herein.

SECTION 15. All actions heretofore taken by the officers, employees and agents of the City with respect to the establishment of the Community Facilities District, or in connection with or related to any of the matters referred to herein, are hereby approved, confirmed and ratified.

SECTION 16. The officers, employees and agents of the City are hereby authorized and directed to take all actions and do all things that they, or any of them, may deem necessary or desirable to accomplish the purposes of this Resolution and not inconsistent with the provisions hereof.

SECTION 17. This Resolution shall take effect immediately upon its adoption.

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

PASSED, APPROVED AND ADOPTED this 7th day of March, 2023.

PAUL S. LEON, MAYOR

ATTEST:

SHEILA MAUTZ, CITY CLERK

APPROVED AS TO LEGAL FORM:

BEST BEST & KRIEGER LLP
CITY ATTORNEY

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

I, SHEILA MAUTZ, City Clerk of the City of Ontario, DO HEREBY CERTIFY that foregoing Resolution No. 2023- was duly passed and adopted by the City Council of the City of Ontario at their regular meeting held March 7, 2023 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. 2023- duly passed and adopted by the Ontario City Council at their regular meeting held March 7, 2023.

SHEILA MAUTZ, CITY CLERK

(SEAL)

EXHIBIT A
BOUNDARY MAP

EXHIBIT B

FACILITIES AND INCIDENTAL EXPENSES

Facilities

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

Facilities to be Purchased

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

Services

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

Incidental Expenses

The incidental expenses proposed to be incurred include the following:

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

EXHIBIT C

PROPOSED RATE AND METHOD OF APPORTIONMENT OF SPECIAL TAX

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

Assessor Parcel Numbers within the Boundaries of City of Ontario Community Facilities District No. 64 (Sunset Ranch):

- 0218-131-34
- 0218-252-08
- 0218-252-10
- 0218-252-38

Map showing the boundaries of the City of Ontario Community Facilities District No. 64 (Sunset Ranch) and the Assessor's Parcel Numbers (APNs) within the district. The map includes the following streets and landmarks:

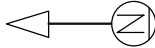
- Streets: CHINO AVENUE, VISTA STREET, ARCHIBALD AVENUE, HAVEN AVENUE, EUCALYPTUS AVENUE, SCHAEFER AVENUE, EDISON AVENUE, CLEVELAND AVENUE, HAMNER AVENUE, ONTARIO RANCH ROAD.
- Landmarks: ZONE 1 (See Sheet 2), ZONE 2 (See Sheet 3).
- Assessor's Parcel Numbers (APNs): 0218-131-34, 0218-252-08, 0218-252-10, 0218-252-38.

Map prepared by DT

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

Assessor Parcel Numbers within the
Boundaries of City of Ontario
Community Facilities District No. 64
(Sunset Ranch):

0218-131-34
0218-252-08
0218-252-10
0218-252-38



Map of Zone 1 showing streets and a shaded area. The map includes Hamner Avenue at the top, Ontario Ranch Road on the left, and Vista Street at the bottom left. A shaded area is labeled "ZONE 1 See Sheet 2". Other streets shown include Edison Avenue, Cleveland Avenue, Eucalyptus Avenue, Haven Avenue, and Archibald Avenue. A north arrow is in the top left corner. The map is prepared by DT for San Bernardino County, Riverside.

Prepared by DTA

Sheila Mautz, Clerk of the City of Ontario,
California

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California



San Bernardino County Recorder's Certificate

This map has been filed under Document Number _____, this _____ day of _____, 2023, at _____ m., in Book _____ of Maps of Assessment and Community Facilities Districts at page _____, in the office of the county recorder in San Bernardino County, State of California, at the request of the City of Ontario in the amount of \$_____.

Bob Dutton
Assessor-Recorder
San Bernardino County

By: _____

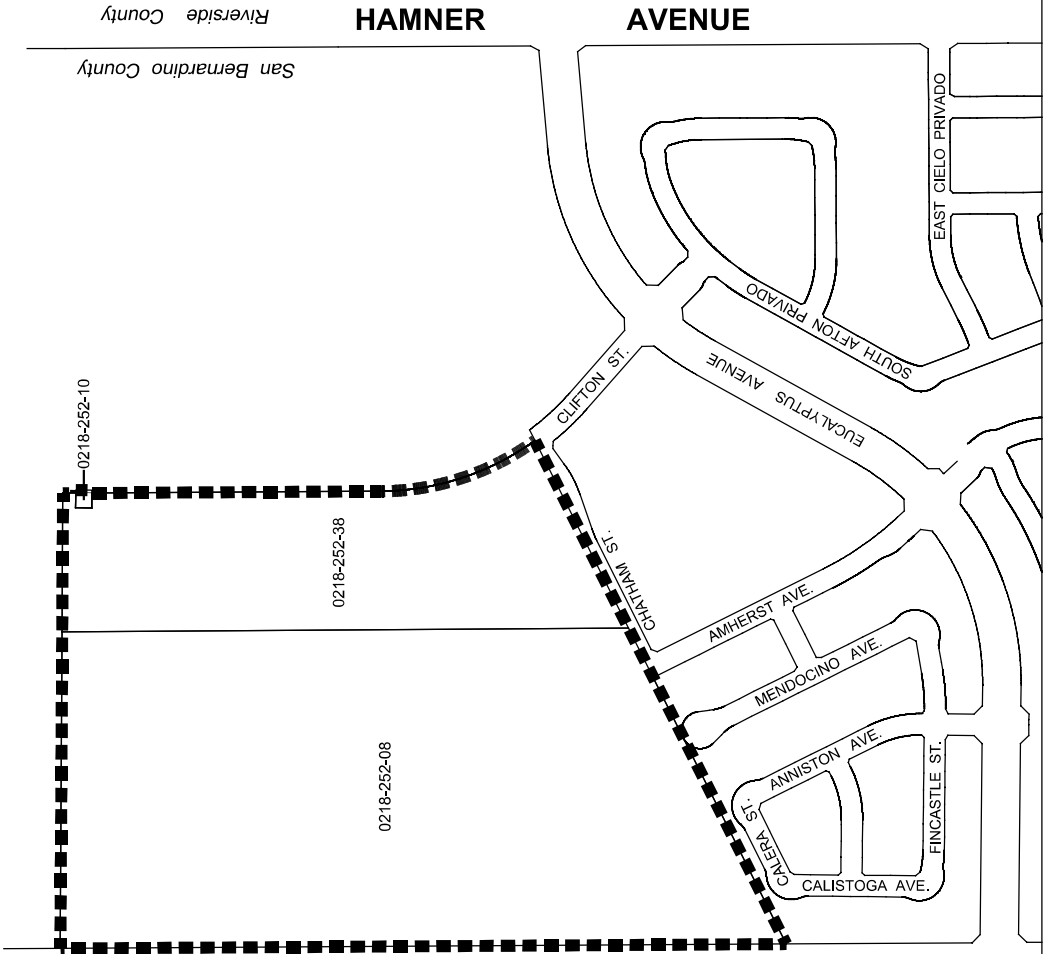
Deputy Recorder

PROPOSED BOUNDARIES OF
CITY OF ONTARIO
COMMUNITY FACILITIES DISTRICT NO. 64
(SUNSET RANCH)
SAN BERNARDINO COUNTY
STATE OF CALIFORNIA

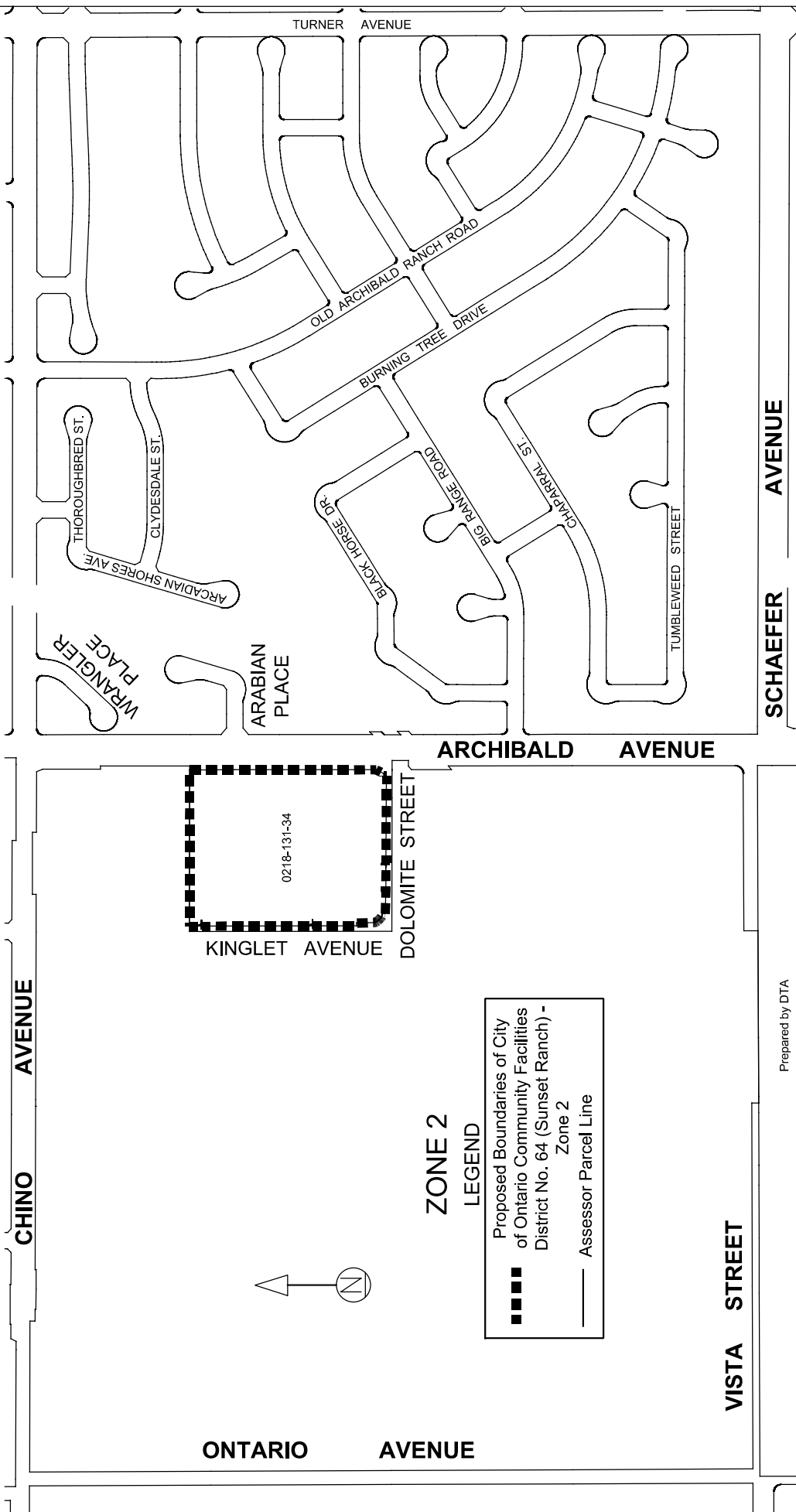
EDISON AVENUE

CLEVELAND AVENUE

EUCALYPTUS AVENUE



PROPOSED BOUNDARIES OF
CITY OF ONTARIO
COMMUNITY FACILITIES DISTRICT NO. 64
(SUNSET RANCH)
SAN BERNARDINO COUNTY
STATE OF CALIFORNIA



Prepared by DTA

EXHIBIT C

CITY OF ONTARIO COMMUNITY FACILITIES DISTRICT NO. 64 (SUNSET RANCH)

RATE AND METHOD OF APPORTIONMENT OF SPECIAL TAX

Special Taxes shall be levied on all Assessor's Parcels in the City of Ontario Community Facilities District No. 64 (Sunset Ranch) ("CFD No. 64") and collected each Fiscal Year, commencing in Fiscal Year 2023-24, in an amount determined by the City Council of the City of Ontario through the application of the Rate and Method of Apportionment, as described below. All of the real property in CFD No. 64, unless exempted by law or by the provisions hereof, shall be taxed for the purposes, to the extent, and in the manner herein provided.

A. DEFINITIONS

The terms hereinafter set forth have the following meanings:

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

"Act" means the Mello-Roos Community Facilities Act of 1982, as amended, being Chapter 2.5 of Part 1 of Division 2 of Title 5 of the California Government Code.

"Administrative Expenses" means the following actual or reasonably estimated costs directly related to the administration of CFD No. 64: the costs of computing the Special Taxes and preparing the annual Special Tax collection schedules (whether by the City or CFD No. 64 or both); the costs of collecting the Special Taxes (whether by the County or otherwise); the costs of remitting the Special Taxes to the Trustee; the costs of the Trustee (including its legal counsel) in the discharge of the duties required of it under the Indenture; the costs to the City or CFD No. 64 of complying with arbitrage rebate requirements; the costs to the City or CFD No. 64 of complying with City, CFD No. 64, or obligated persons disclosure requirements associated with applicable federal and state securities laws and of the Act; the costs associated with preparing Special Tax disclosure statements and responding to public inquiries regarding the Special Taxes; the costs of the City or CFD No. 64 related to the analysis and reduction, if any, of the Special Tax A on Single Family Property in accordance with Section C.1 herein; the costs of the City or CFD No. 64 related to an appeal of the Special Tax; the costs associated with the release of funds from any escrow account; the City's administration fees and third party expenses; the costs of City staff time and reasonable overhead relating to CFD No. 64; and amounts estimated or advanced by the City or CFD No. 64 for any other

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

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

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

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

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

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

"Bonds" means any bonds or other debt (as defined in Section 53317(d) of the Act) issued by CFD No. 64 under the Act and payable from Special Tax A.

"Buildable Lot" means an individual lot, within a Final Subdivision Map or an area expected by CFD No. 64 to become Final Mapped Property, such as the area within a Tentative Tract Map, for which a building permit may be issued without further subdivision of such lot.

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

"CFD No. 64" means City of Ontario Community Facilities District No. 64 (Sunset Ranch).

"City" means the City of Ontario, California.

"City Council" means the City Council of the City, acting as the legislative body of CFD No. 64.

"Contractual Impositions" means (a) a voluntary contractual assessment established and levied on an Assessor's Parcel pursuant to Chapter 29 of Part 3 of Division 7 of the California Streets and Highways Code (commencing with Section 5898.10 *et seq.*), as amended from time to time, (b) a special tax established and levied on an Assessor's Parcel pursuant to Section 53328.1 of the California Government Code and related provisions of the Act, as amended from time to time, and (c) any other fee, charge, tax, or assessment established and levied on an individual Assessor's Parcel pursuant to a contractual agreement or other voluntary consent by the owner thereof (e.g., property owner association assessments).

“County” means the County of San Bernardino.

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

“Developed Property” means for each Fiscal Year, all Taxable Property, exclusive of Final Mapped Property, Taxable Property Owner Association Property, and Taxable Public Property, for which a building permit or other applicable permit for new construction was issued after January 1, 2023, and before May 1 of the prior Fiscal Year.

“Expected Residential Lot Count” means 432 Buildable Lots of Single Family Property in Tax Zone 1 and 36 Buildable Lots of Single Family Property in Tax Zone 2, or, as determined by the CFD Administrator, the number of Buildable Lots of Single Family Property based on the most recent Tentative Tract Map(s) or most recently recorded Final Subdivision Map(s) or modified Final Subdivision Map(s).

“Facilities” means the public facilities authorized to be financed, in whole or in part, by CFD No. 64.

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

“Final Subdivision Map” means a final tract map, parcel map, or lot line adjustment approved by the City pursuant to the Subdivision Map Act (California Government Code Section 66410 et seq.) or a condominium plan recorded pursuant to California Civil Code Section 4285 that, in either case, creates individual lots for which building permits may be issued without further subdivision.

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

“Gated Community Attached Dwelling Unit” means, with respect to Special Tax B, a Unit within any residential building containing two or more dwelling units (including attached condominiums, townhouses, duplexes, triplexes, and apartments) within a gated community that, within such community, is primarily served by private interior streets.

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

“Land Use Class” means any of the classes listed in Tables 1, 2, and 3 below.

“Lower Income Household Welfare Exemption Property” means, for each Fiscal Year, an Assessor’s Parcel within the boundaries of CFD No. 64 that is subject to a welfare exemption under subdivision (g) of Section 214 of the California Revenue and Taxation Code (or any successor statute), as indicated in the most recent County assessor’s roll finalized prior to such Fiscal Year.

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

“Maximum Special Tax B” means, with respect to an Assessor’s Parcel of Taxable Property, the Maximum Special Tax B determined in accordance with Section C.2 below that can be levied in any Fiscal Year on such Assessor’s Parcel of Taxable Property.

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

“Multiple Family Dwelling Unit” means, with respect to Special Tax B, a Unit within any residential building containing two or more dwelling units, including attached condominiums, townhomes, duplexes, triplexes, and apartments, but excluding Gated Community Attached Dwelling Units.

“Non-Residential Property” means all Assessor’s Parcels of Developed Property for which a building permit was issued by the City permitting the construction of one or more non-residential structures or facilities.

“Other Residential Property” means, with respect to Special Tax A, all Assessor’s Parcels of Developed Property for which a building permit was issued by the City for purposes of constructing Units, excluding Single Family Attached Property and Single Family Detached Property.

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

“Price Point Consultant” means any consultant or firm of such consultants selected by CFD No. 64 that (a) has substantial experience in performing price point studies for residential units within community facilities districts established under the Act or otherwise estimating or confirming pricing for residential units in such community facilities districts, (b) has recognized expertise in analyzing economic and real estate data that relates to the pricing of residential units in such community facilities districts, (c) is in fact independent and not under the control of CFD No. 64 or the City, (d) does not have any substantial interest, direct or indirect, with or in (i) CFD No. 64, (ii) the City, (iii) any owner of real property in CFD No. 64, or (iv) any real property in CFD No. 64, and (e) is not connected with CFD No. 64 or the City as an officer or employee thereof, but who may be regularly retained to make reports to CFD No. 64 or the City.

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

“Property Owner Association Property” means, for each Fiscal Year, any property within the boundaries of CFD No. 64 that was owned by a property owner association, including any master or sub-association, as of January 1 of the prior Fiscal Year.

“Proportionately” means (a) for Developed Property in the first step of Section D.1 below, that the ratio of the actual Special Tax A levy to the Maximum Special Tax A is equal for all Assessor’s Parcels of Developed Property; however, for Developed Property in the fourth step of Section D.1 below, Proportionately means that the amount of the increase above the Assigned Special Tax A, if necessary, is equal for all Assessor’s Parcels of Developed Property, except that if the Backup Special Tax A limits the increase on any Assessor’s Parcel(s), then the amount of the increase shall be equal for the remaining Assessor’s Parcels; (b) with respect to Special Tax B, that the ratio of the actual Special Tax B levy to the Maximum Special Tax B is equal for all Assessor’s Parcels of Developed Property; (c) for Final Mapped Property, that the ratio of the actual Special Tax A levy to the Maximum Special Tax A is equal for all Assessor’s Parcels of Final Mapped Property; (d) for Undeveloped Property, that the ratio of the actual Special Tax A levy to the Maximum Special Tax A is equal for all Assessor’s Parcels of Undeveloped Property; (e) for Taxable Property Owner Association Property, that the ratio of the actual Special Tax A levy to the Maximum Special Tax A is equal for all Assessor’s Parcels of Taxable Property Owner Association Property; and (f) for Taxable Public Property, that the ratio of the actual Special Tax A levy to the Maximum Special Tax A is equal for all Assessor’s Parcels of Taxable Public Property.

“Public Property” means, for each Fiscal Year, property within the boundaries of CFD No. 64 that is (a) owned by, irrevocably offered to, or dedicated to the federal government, the State, the County, the City, or any local government or other public agency or (b) encumbered by an easement for purposes of public or utility right-of-way that makes impractical its use for any purpose other than that set forth in such easement; provided that any property leased by a public agency to a private entity and subject to taxation under Section 53340.1 of the Act shall be taxed and classified according to its use.

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

“Residential Floor Area” means all of the Square Footage of living area within the perimeter of a Unit, not including any carport, walkway, garage, overhang, patio, enclosed patio, or similar area. The determination of Residential Floor Area shall be as set forth in the building permit(s) issued for such Assessor’s Parcel, or as set forth in other official records maintained by the City’s Building Department or other appropriate means selected by CFD No. 64. The actual Square Footage shall be rounded up to the next whole square foot. Once such determination has been made for an Assessor’s Parcel, it shall remain fixed in all future Fiscal Years unless an appeal pursuant to Section F below is approved that results in a change in the actual Square Footage.

“Residential Property” means, for each Fiscal Year, an Assessor’s Parcel for which a building permit for new construction of one or more Units was issued after January 1, 2023, and before May 1 of the prior Fiscal Year.

“Services” means the services authorized to be financed, in whole or in part, by CFD No. 64.

“Single Family Attached Property” means all Assessor’s Parcels of Developed Property for which a building permit or use permit was issued for construction of a residential structure consisting of two or more Units that share common walls, have separate Assessor’s Parcel Numbers assigned to them (except for a duplex unit, which may share an Assessor’s Parcel with another duplex unit), and may be purchased by individual homebuyers (which shall still be the case even if the Units are purchased and subsequently offered for rent by the owner of the Unit), including such residential structures within a condominium project as defined in Civil Code Section 4125.

“Single Family Detached Property” means all Assessor’s Parcels of Developed Property for which a building permit was issued for construction of a Unit, on one legal lot, that does not share a common wall with another Unit.

“Single Family Detached Dwelling Unit” means a Unit of Single Family Detached Property.

“Single Family Property” means all Assessor’s Parcels of Single Family Attached Property and Single Family Detached Property.

“Special Taxes” means, collectively, Special Tax A and Special Tax B.

“Special Tax A” means the special tax authorized by the qualified electors of CFD No. 64 to be levied within the boundaries of CFD No. 64 to pay for Facilities and Services.

“Special Tax A Requirement” means for any Fiscal Year that amount required, after taking into account available amounts held in the funds and accounts established under the Indenture, for CFD No. 64 to: (i) pay debt service on all Outstanding Bonds which is due in the calendar year that commences in such Fiscal Year; (ii) pay periodic costs on the Bonds, including, but not limited to, credit enhancement and rebate payments on the Bonds; (iii) pay a pro rata share of Administrative Expenses; (iv) provide any amounts required to establish or replenish any reserve fund for the Bonds; (v) pay directly for acquisition or construction of Facilities, or the cost of Services, to the extent that the inclusion of such amounts does not increase the Special Tax A levy on Final Mapped Property or Undeveloped Property; and (vi) provide an amount equal to Special Tax A delinquencies based on the historical delinquency rate for Special Tax A as determined by the CFD Administrator.

“Special Tax B” means the special tax authorized by the qualified electors of CFD No. 64 to be levied within the boundaries of CFD No. 64 to pay for Services.

“Special Tax B Requirement” means for any Fiscal Year that amount required, after taking into account available amounts in any funds and accounts established to pay for Services, to pay the cost of Services, a pro rata share of Administrative Expenses, and an amount equal to Special Tax B delinquencies based on the historical delinquency rate for Special Tax B as determined by the CFD Administrator.

“Square Footage” or **“Sq. Ft.”** means the floor area square footage reflected on the original construction building permit, or as set forth in other official records maintained by the City’s Building Department or other appropriate means selected by CFD No. 64, issued for construction of Residential Property or Non-Residential Property, plus any square footage subsequently added to a building of Non-Residential Property after issuance of a building permit for expansion or renovation of such building.

“State” means the State of California.

“Taxable Property” means, for each Fiscal Year, all of the Assessor’s Parcels within the boundaries of CFD No. 64 that are not exempt from the Special Taxes pursuant to law or Section E below.

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

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

“Tax Zone” means a mutually exclusive geographic area, within which particular Special Taxes may be levied pursuant to this Rate and Method of Apportionment. Attachment 1 identifies the two Tax Zones in CFD No. 64.

“Tax Zone 1” means the geographic area designated in Attachment 1 of this Rate and Method of Apportionment as Tax Zone 1, is consistent with the boundaries of TTMs 20158, 20159, and 20160, and was commonly referred to as the Belmont, Moonstone, and Torrey projects at the time of formation of CFD No. 64.

“Tax Zone 2” means the geographic area designated in Attachment 1 of this Rate and Method of Apportionment as Tax Zone 2, is consistent with the boundary of TTM 18916, and was commonly referred to as the Countryside project at the time of formation of CFD No. 64.

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

“Total Tax Burden” means, for a Unit within a Land Use Class, for the Fiscal Year in which the Total Tax Burden is being calculated, the sum of (a) the Assigned Special Tax A for such Land Use Class for such Fiscal Year, plus (b) the Special Tax B for such Land

Use Class for such Fiscal Year, plus (c) the *ad valorem* property taxes, special assessments, special taxes for any overlapping community facilities districts, and any other governmental fees, charges (other than fees or charges for services such as sewer and trash), taxes, and assessments (which do not include Contractual Impositions) collected by the County on *ad valorem* tax bills, plus (d) property owner association assessments (but excluding the refuse collection portion of such assessments), and that the CFD Administrator estimates would be levied or imposed on such Unit in such Fiscal Year if the residential dwelling unit thereon or therein had been completed and sold, and was subject to such fees, charges, taxes, and assessments in such Fiscal Year.

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

“TTM 18916” means Tentative Tract Map No. 18916, the area of which is located within CFD No. 64.

“TTM 20158” means Tentative Tract Map No. 20158, the area of which is located within CFD No. 64.

“TTM 20159” means Tentative Tract Map No. 20159, the area of which is located within CFD No. 64.

“TTM 20160” means Tentative Tract Map No. 20160, the area of which is located within CFD No. 64.

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

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

B. ASSIGNMENT TO LAND USE CATEGORIES

Each Fiscal Year, beginning with Fiscal Year 2023-24, all Taxable Property within CFD No. 64 shall be organized into Tax Zone 1 or Tax Zone 2, and then classified as Developed Property, Final Mapped Property, Taxable Public Property, Taxable Property Owner Association Property, or Undeveloped Property, and shall be subject to Special Taxes in accordance with the Rate and Method of Apportionment as determined pursuant to Sections C and D below.

Assessor’s Parcels of Developed Property shall be further classified as: Single Family Attached Property, Single Family Detached Property, or Other Residential Property (for Special Tax A); Single Family Detached Dwelling Unit, Multiple Family Dwelling Unit, or Gated Community Attached Dwelling Unit (for Special Tax B); or Non-Residential Property. For Special Tax A, Assessor’s Parcels of Single Family Property in Tax Zone 1 shall be assigned to Land Use Classes 1 through 11, and Single Family Property in Tax

Zone 2 shall be assigned to Land Use Classes 14 through 18, as listed in Tables 1 and 2 below based on the Residential Floor Area of the Units on such Assessor's Parcels. Also for Special Tax A, Other Residential Property and Non-Residential Property shall be assigned to Land Use Classes 12 and 13, respectively, in Tax Zone 1, and to Land Use Classes 19 and 20 in Tax Zone 2.

C. MAXIMUM SPECIAL TAX

1. Special Tax A

At least 30 days prior to the issuance of Bonds, the Assigned Special Tax A on Developed Property (set forth in Tables 1 and 2 below) shall be analyzed in accordance with and subject to the conditions set forth in this Section C. At such time, CFD No. 64 shall select and engage a Price Point Consultant and the CFD Administrator shall request the Price Point Consultant to prepare a Price Point Study setting forth the Minimum Sale Price of Units within each Land Use Class.

Tax Zone 1

If based upon such Price Point Study the CFD Administrator calculates that the Total Tax Burden applicable to Units within one or more Land Use Classes of Single Family Property to be constructed within Tax Zone 1 exceeds 2.22% of the Minimum Sale Price of Units of Single Family Detached Property, the Assigned Special Tax A shall be reduced to the extent necessary to cause the Total Tax Burden that shall apply to Units within such Land Use Class(es) not to exceed 2.22% of the Minimum Sale Price of Units of Single Family Detached Property. In addition, if based upon such Price Point Study the CFD Administrator calculates that the Total Tax Burden, excluding property owner association assessments, applicable to Units within one or more Land Use Classes of Single Family Property to be constructed within Tax Zone 1 exceeds 1.95% of the Minimum Sale Price of such Units, the Assigned Special Tax A shall be reduced to the extent necessary to cause the Total Tax Burden, excluding property owner association assessments, that shall apply to Units within such Land Use Class(es) not to exceed 1.95% of the Minimum Sale Price of such Units.

Tax Zone 2

If based upon such Price Point Study the CFD Administrator calculates that the Total Tax Burden applicable to Units within one or more Land Use Classes of Single Family Property to be constructed within Tax Zone 2 exceeds 2.15% of the Minimum Sale Price of such Units, the Assigned Special Tax A shall be reduced to the extent necessary to cause the Total Tax Burden that shall apply to Units within such Land Use Class(es) not to exceed 2.15% of the Minimum Sale Price of such Units.

Each Assigned Special Tax A reduction for a Land Use Class shall be calculated by the CFD Administrator separately, and it shall not be required that such reduction be proportionate among Land Use Classes. In connection with any

reduction in the Assigned Special Tax A, the Backup Special Tax A shall also be reduced by the CFD Administrator based on the percentage reduction in Maximum Special Tax A revenues within the Tentative Tract Map area(s) where the Assigned Special Tax A reductions occurred. Upon determining the reductions, if any, in the Assigned Special Tax A and Backup Special Tax A required pursuant to this Section C, the CFD Administrator shall complete the Certificate of Modification of Special Tax substantially in the form attached hereto as Exhibit A (the “Certificate of Modification”), shall execute such completed Certificate of Modification, and shall deliver such executed Certificate of Modification to CFD No. 64. Upon receipt thereof, if in satisfactory form, CFD No. 64 shall execute such Certificate of Modification. The reduced Assigned Special Tax A and Backup Special Tax A specified in such Certificate of Modification shall become effective upon the execution of such Certificate of Modification by CFD No. 64.

The Special Tax A reductions required pursuant to this section shall be reflected in an amended notice of Special Tax lien, which CFD No. 64 shall cause to be recorded with the County Recorder as soon as practicable after execution of the Certificate of Modification by CFD No. 64. The reductions in this section apply to Single Family Property, but not to Other Residential Property or Non-Residential Property.

a. Developed Property

1) Maximum Special Tax A

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

2) Assigned Special Tax A

The Assigned Special Tax A that may be levied in any Fiscal Year for each Land Use Class is shown below in Tables 1 and 2.

TABLE 1
TAX ZONE 1
ASSIGNED SPECIAL TAX A – DEVELOPED PROPERTY

Land Use Class	Description	Residential Floor Area (Square Footage)	Assigned Special Tax A
1	Single Family Property	< 1,101	\$3,179 per Unit
2	Single Family Property	1,101 – 1,300	\$3,461 per Unit
3	Single Family Property	1,301 – 1,500	\$3,629 per Unit
4	Single Family Property	1,501 – 1,700	\$3,906 per Unit
5	Single Family Property	1,701 – 1,900	\$4,288 per Unit
6	Single Family Property	1,901 – 2,100	\$4,493 per Unit
7	Single Family Property	2,101 – 2,300	\$5,131 per Unit
8	Single Family Property	2,301 – 2,500	\$5,148 per Unit
9	Single Family Property	2,501 – 2,700	\$5,179 per Unit
10	Single Family Property	2,701 – 2,900	\$5,224 per Unit
11	Single Family Property	> 2,900	\$5,243 per Unit
12	Other Residential Property		\$75,682 per Acre
13	Non-Residential Property		\$75,682 per Acre

TABLE 2
TAX ZONE 2
ASSIGNED SPECIAL TAX A – DEVELOPED PROPERTY

Land Use Class	Description	Residential Floor Area (Square Footage)	Assigned Special Tax A
14	Single Family Property	< 2,301	\$4,345 per Unit
15	Single Family Property	2,301 – 2,500	\$4,362 per Unit
16	Single Family Property	2,501 – 2,700	\$4,393 per Unit
17	Single Family Property	2,701 – 2,900	\$4,438 per Unit
18	Single Family Property	> 2,900	\$4,457 per Unit
19	Other Residential Property		\$44,309 per Acre
20	Non-Residential Property		\$44,309 per Acre

3) *Backup Special Tax A*

The Backup Special Tax A shall be \$4,304 per Unit for Single Family Property in Tax Zone 1 and \$4,398 in Tax Zone 2. However, if the Expected Residential Lot Count of Single Family Property does not equal 432 in Tax Zone 1 and 36 in Tax Zone 2, and the City has not issued Bonds, then the Backup Special Tax A for Designated Buildable Lots of Single Family Property in each Tax Zone shall be calculated according to the following formulas:

$$\text{Tax Zone 1} = \$1,859,513 \div \text{Expected Residential Lot Count in Tax Zone 1 for Single Family Property}$$

$$\text{Tax Zone 2} = \$158,316 \div \text{Expected Residential Lot Count in Tax Zone 2 for Single Family Property}$$

If any portion of a Final Subdivision Map, or any area expected by CFD No. 64 to become Final Mapped Property – such as the area within TTM 18916, TTM 20158, TTM 20159, TTM 20160, or any other Tentative Tract Map – changes any time after the City has issued Bonds, causing an adjustment to the number of Designated Buildable Lots, then the Backup Special Tax A for all Designated Buildable Lots of Single Family Property subject to the change shall be calculated according to the following steps:

Step 1: Determine the total Backup Special Tax A that could have been collected from Designated Buildable Lots of Single Family Property within the applicable Tax Zone, prior to the Final Subdivision Map or expected Final Mapped Property change.

Step 2: Divide the amount determined in Step 1 by the number of Designated Buildable Lots of Single Family Property that exists in the applicable Tax Zone after the Final Subdivision Map or expected Final Mapped Property change.

Step 3: Apply the amount determined in Step 2 as the Backup Special Tax A per Unit for Single Family Property in the applicable Tax Zone.

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

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

The Maximum Special Tax A for Final Mapped Property, Taxable Public Property, Taxable Property Owner Association Property, and Undeveloped Property shall be \$75,682 per Acre in Tax Zone 1 and \$44,309 per Acre in Tax Zone 2, and shall not be subject to increase or reduction and, therefore, shall remain the same in every Fiscal Year.

2. Special Tax B

The Maximum Special Tax B for each Assessor's Parcel classified as Developed Property shall be determined by reference to Table 3 below.

**TABLE 3
MAXIMUM SPECIAL TAX B – DEVELOPED PROPERTY**

Land Use Class	Maximum Special Tax B Fiscal Year 2023-24
Residential Property	
Single Family Detached Dwelling Unit	\$1,501.46 per Unit
Multiple Family Dwelling Unit	\$1,301.51 per Unit
Gated Community Attached Dwelling Unit	\$1,091.38 per Unit
Non-Residential Property	\$0.277680 per Sq. Ft.

On January 1 of each Fiscal Year, commencing January 1, 2024, the Maximum Special Tax B to be applied in the next Fiscal Year shall be subject to an automatic increase at a rate equal to 4.0% of the amount in effect for the prior Fiscal Year.

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

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

Final Subdivision Map, parcel map, condominium plan, or other recorded County map) located on that Assessor's Parcel.

D. METHOD OF APPORTIONMENT OF THE SPECIAL TAX

1. Special Tax A

Each Fiscal Year, beginning with Fiscal Year 2023-24, the CFD Administrator shall determine the Special Tax A Requirement for such Fiscal Year. The Special Tax A shall then be levied as follows:

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

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

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

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

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

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

Notwithstanding the above, under no circumstances shall Special Tax A levied in any Fiscal Year on any Assessor's Parcel of Single Family Property or Other Residential Property for which an occupancy permit for private residential use has been issued be increased as a result of delinquency or default by the owner or owners of any other Assessor's Parcel or Assessor's Parcels within CFD No. 64 by more than ten percent

above the amount that would have been levied in that Fiscal Year had there never been any such delinquencies or defaults.

2. Special Tax B

Each Fiscal Year, beginning with Fiscal Year 2023-24, the CFD Administrator shall determine the Special Tax B Requirement. The Special Tax B shall then be levied Proportionately on each Assessor's Parcel of Developed Property up to 100% of the applicable Maximum Special Tax B for such Assessor's Parcel, until the Special Tax B Requirement is satisfied. However, the Special Tax B levied in any Fiscal Year shall not increase by more than 4.0% of the amount of the Special Tax B levied in the prior Fiscal Year.

E. EXEMPTIONS

In Tax Zone 1, no Special Tax shall be levied on up to 11.44 Acres of Public Property and up to 12.75 Acres of Property Owner Association Property. In Tax Zone 2, no Special Tax shall be levied on up to 2.04 Acres of Public Property and up to 3.87 Acres of Property Owner Association Property. Tax-exempt status in each Tax Zone will be assigned by the CFD Administrator in the chronological order in which property becomes Public Property or Property Owner Association Property.

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

No Special Tax shall be levied on Lower Income Household Welfare Exemption Property; provided, however, that if, in any Fiscal Year, applicable law does not require that Lower Income Household Welfare Exemption Property be exempt from some portion, or all, of the Special Tax, such portion, or all, of the Special Tax shall be levied on such property in accordance with this Rate and Method of Apportionment based on the Land Use Class to which the Assessor's Parcel is assigned.

F. APPEALS

Any property owner may file a written appeal of the Special Tax with CFD No. 64 claiming that the amount or application of the Special Tax is not correct. The appeal must be filed not later than one calendar year after having paid the Special Tax that is disputed, and the appellant must be current in all payments of Special Taxes. In addition, during the term of the appeal process, all Special Taxes levied must be paid on or before the payment date established when the levy was made.

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

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

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

G. MANNER OF COLLECTION

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

H. PREPAYMENT OF SPECIAL TAX A

The following definitions apply to this Section H:

"CFD Public Facilities" means \$25,593,000 for each Prepayment Period, or such lower number as determined by the City Council to be sufficient to fund the Facilities and Services to be provided by CFD No. 64.

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

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

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

"Prepayment Period 1" means July 1, 2023, through June 30, 2057.

“Prepayment Period 2” means July 1, 2057, through June 30, 2090.

“Prepayment Period 3” means July 1, 2090, through June 30, 2124.

Only Special Tax A may be prepaid; Special Tax B shall continue to be levied on an annual basis on all Developed Property in CFD No. 64.

1. Prepayment in Full

The obligation of an Assessor's Parcel to pay the Special Tax A may be prepaid as described herein, provided that a prepayment may be made only for Assessor's Parcels for which a building permit for new construction was issued after January 1, 2023, and only if there are no delinquent Special Taxes with respect to such Assessor's Parcel at the time of prepayment. An owner of an Assessor's Parcel intending to prepay the Special Tax A obligation shall provide the CFD Administrator with written notice of intent to prepay. Within 30 days of receipt of such written notice, the CFD Administrator shall notify such owner of the prepayment amount for such Assessor's Parcel. The CFD Administrator may charge a fee for providing this service. Prepayment in any six month period must be made not less than 45 days prior to the next occurring date that notice of redemption of Bonds from the proceeds of such prepayment may be given to the Trustee pursuant to the Indenture.

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

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

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

Paragraph No.

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

Special Tax A and Backup Special Tax A for that Assessor's Parcel as though it was already designated as Developed Property, based upon the building permit which has already been issued for that Assessor's Parcel.

3. (a) Divide the Assigned Special Tax A computed pursuant to Paragraph 2 by the total estimated Assigned Special Tax A for CFD No. 64 based on the Developed Property Special Tax A which could be charged in the current Fiscal Year on all expected development through buildout of CFD No. 64, excluding any Assessor's Parcels which have been prepaid, and

(b) Divide the Backup Special Tax A computed pursuant to Paragraph 2 by the estimated total Backup Special Tax A at buildout of CFD No. 64, excluding any Assessor's Parcels which have been prepaid.
4. Multiply the larger quotient computed pursuant to Paragraph 3(a) or 3(b) by the Outstanding Bonds to compute the amount of Outstanding Bonds to be retired and prepaid (the "Bond Redemption Amount").
5. Multiply the Bond Redemption Amount computed pursuant to Paragraph 4 by the applicable redemption premium (e.g., the redemption price minus 100%), if any, on the Outstanding Bonds to be redeemed (the "Redemption Premium").
6. Compute the Future Facilities Costs for the applicable Prepayment Period.
7. Multiply the larger quotient computed pursuant to Paragraph 3(a) or 3(b) by the amount determined pursuant to Paragraph 6 to compute the amount of Future Facilities Costs to be prepaid (the "Future Facilities Amount").
8. Compute the amount needed to pay interest on the Bond Redemption Amount from the first bond interest and/or principal payment date following the current Fiscal Year until the earliest redemption date for the Outstanding Bonds.
9. Determine the Special Tax A levied on the Assessor's Parcel in the current Fiscal Year which has not yet been paid.
10. Add the amounts computed pursuant to Paragraphs 8 and 9 to determine the "Defeasance Amount".
11. Verify the administrative fees and expenses of CFD No. 64, including the costs to compute the prepayment, the costs to invest the prepayment proceeds, the costs to redeem Bonds, and the costs to record any notices to evidence the prepayment and the redemption (the "Administrative Fees and Expenses").
12. If reserve funds for the Outstanding Bonds, if any, are at or above 100% of the reserve requirement (as defined in the Indenture) on the prepayment date, a reserve fund credit shall be calculated as a reduction in the applicable reserve fund for the Outstanding Bonds to be redeemed pursuant to the prepayment (the "Reserve Fund Credit"). No Reserve Fund Credit shall be granted if reserve

funds are below 100% of the reserve requirement on the prepayment date or the redemption date.

13. The Special Tax A prepayment is equal to the sum of the amounts computed pursuant to Paragraphs 4, 5, 7, 10, and 11, less the amount computed pursuant to Paragraph 12 (the "Prepayment Amount").
14. From the Prepayment Amount, the amounts computed pursuant to Paragraphs 4, 5, 10, and 12 shall be deposited into the appropriate fund as established under the Indenture and be used to retire Outstanding Bonds or make debt service payments. The amount computed pursuant to Paragraph 7 shall be deposited into the Expenditures Fund. The amount computed pursuant to Paragraph 11 shall be retained by CFD No. 64.

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

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

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

Notwithstanding the foregoing, no Special Tax A prepayment shall be allowed unless the amount of Maximum Special Tax A that may be levied on Taxable Property within CFD No. 64 (after excluding 13.48 Acres of Public Property and 16.62 acres of Property Owner Association Property) both prior to and after the proposed prepayment is at least 1.1 times the maximum annual debt service on all Outstanding Bonds.

2. Prepayment in Part

The Special Tax A on an Assessor's Parcel for which a building permit for new construction was issued after January 1, 2023, may be partially prepaid. The amount of the prepayment shall be calculated as in Section H.1, except that a partial prepayment shall be calculated by the CFD Administrator according to the following formula:

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

The terms above have the following meaning:

PP = the partial prepayment

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

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

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

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

The owner of any Assessor's Parcel who desires such prepayment shall notify the CFD Administrator of such owner's intent to partially prepay Special Tax A and the percentage by which Special Tax A shall be prepaid. The CFD Administrator shall provide the owner with a statement of the amount required for the partial prepayment of Special Tax A for an Assessor's Parcel within thirty (30) days of the request and may charge a fee for providing this service. With respect to any Assessor's Parcel that is partially prepaid, the CFD Administrator shall (i) distribute the remitted prepayment funds according to Section H.1, and (ii) indicate in the records of CFD No. 64 that there has been a partial prepayment of Special Tax A and that a portion of Special Tax A with respect to such Assessor's Parcel, equal to the outstanding percentage (100% - "%", as defined above) of the Maximum Special Tax A, shall continue to be levied on such Assessor's Parcel pursuant to Section D during the Prepayment Period in which the partial prepayment is made.

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

I. TERM OF SPECIAL TAX

The Fiscal Year after which no further Special Tax A shall be levied or collected is Fiscal Year 2123-2124, except that Special Tax A that was lawfully levied in or before such Fiscal Year and that remains delinquent may be collected in subsequent years. Special Tax B shall continue to be levied indefinitely on an annual basis on all Developed Property in CFD No. 64.

Attachment 1
City of Ontario
CFD No. 64 (Sunset Ranch)
Identification of Tax Zones

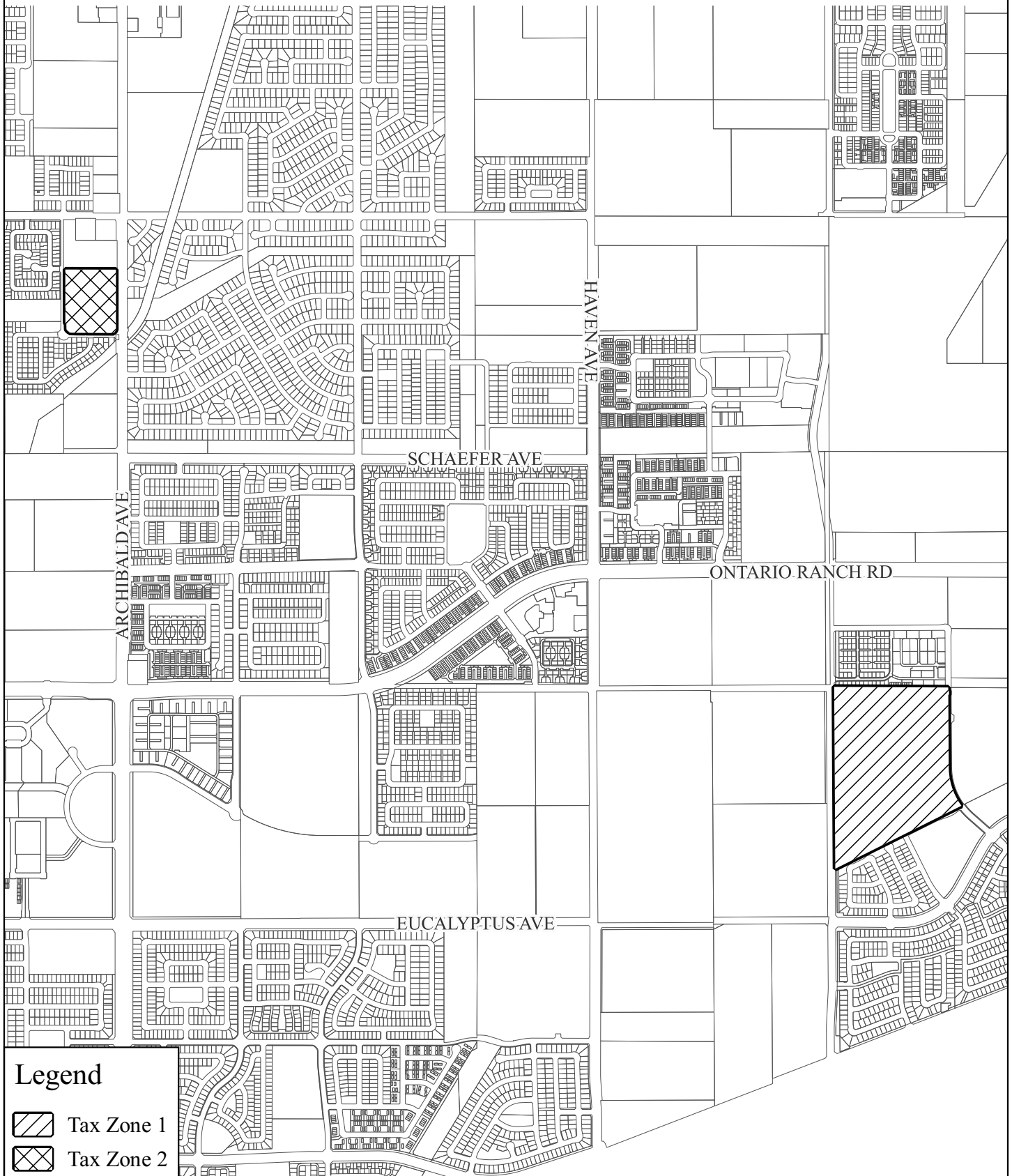


EXHIBIT A

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

CITY OF ONTARIO AND CFD No. 64 CERTIFICATE

1. Pursuant to Section C.1 of the Rate and Method of Apportionment of Special Tax (the “Rate and Method”) for City of Ontario Community Facilities District No. 64 (Sunset Ranch) (“CFD No. 64”), the Assigned Special Tax A and the Backup Special Tax A for Developed Property within CFD No. 64 has been modified.
 - a. The information in Tables 1 and 2 relating to Assigned Special Tax A for Developed Property within CFD No. 64, as stated in Section C.1.a.2 of the Rate and Method of Apportionment, has been modified as follows:

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

Land Use Class	Description	Residential Floor Area (Square Footage)	Assigned Special Tax A
1	Single Family Property	< 1,101	\$[] per Unit
2	Single Family Property	1,101 – 1,300	\$[] per Unit
3	Single Family Property	1,301 – 1,500	\$[] per Unit
4	Single Family Property	1,501 – 1,700	\$[] per Unit
5	Single Family Property	1,701 – 1,900	\$[] per Unit
6	Single Family Property	1,901 – 2,100	\$[] per Unit
7	Single Family Property	2,101 – 2,300	\$[] per Unit
8	Single Family Property	2,301 – 2,500	\$[] per Unit
9	Single Family Property	2,501 – 2,700	\$[] per Unit
10	Single Family Property	2,701 – 2,900	\$[] per Unit
11	Single Family Property	> 2,900	\$[] per Unit
12	Other Residential Property		\$[] per Acre
13	Non-Residential Property		\$[] per Acre

EXHIBIT A

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

TABLE 2
TAX ZONE 2
ASSIGNED SPECIAL TAX A – DEVELOPED PROPERTY

Land Use Class	Description	Residential Floor Area (Square Footage)	Assigned Special Tax A
14	Single Family Property	< 2,301	\$[] per Unit
15	Single Family Property	2,301 – 2,500	\$[] per Unit
16	Single Family Property	2,501 – 2,700	\$[] per Unit
17	Single Family Property	2,701 – 2,900	\$[] per Unit
18	Single Family Property	> 2,900	\$[] per Unit
19	Other Residential Property		\$[] per Acre
20	Non-Residential Property		\$[] per Acre

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

The Backup Special Tax A shall be \$[] per Unit for Single Family Property in Tax Zone 1 and \$[] in Tax Zone 2. However, if the Expected Residential Lot Count of Single Family Property does not equal 432 in Tax Zone 1 and 36 in Tax Zone 2, and the City has not issued Bonds, then the Backup Special Tax A for Designated Buildable Lots of Single Family Property in each Tax Zone shall be calculated according to the following formulas:

Tax Zone 1 = $\$[\] \div \text{Expected Residential Lot Count in Tax Zone 1 for Single Family Property}$

Tax Zone 2 = $\$[\] \div \text{Expected Residential Lot Count in Tax Zone 2 for Single Family Property}$

EXHIBIT A

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

2. The Special Tax A for Developed Property may only be modified prior to the first issuance of CFD No. 64 Bonds.
3. Upon execution of this certificate by CFD No. 64, CFD No. 64 shall cause an amended notice of Special Tax lien for CFD No. 64 to be recorded reflecting the modifications set forth herein.

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

GOODWIN CONSULTING GROUP, INC.
CFD ADMINISTRATOR

By: _____ Date: _____

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

CITY OF ONTARIO
COMMUNITY FACILITIES DISTRICT NO. 64
(SUNSET RANCH)

By: _____ Date: _____

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, TO INCUR BONDED INDEBTEDNESS OF THE PROPOSED CITY OF ONTARIO COMMUNITY FACILITIES DISTRICT NO. 64 (SUNSET RANCH).

WHEREAS, the City Council (the "City Council") of the City of Ontario (the "City"), pursuant to the Mello-Roos Community Facilities Act of 1982 (the "Act"), has this date adopted its Resolution entitled "A Resolution of the City Council of the City of Ontario, California, of Intention to Establish a Community Facilities District, Proposed to be Named City of Ontario Community Facilities District No. 64 (Sunset Ranch), and to Authorize the Levy of a Special Tax," stating its intention to establish City of Ontario Community Facilities District No. 64 (Sunset Ranch) (the "Community Facilities District") for the purpose of financing certain public facilities (the "Facilities") and services, as further provided in said Resolution; and

WHEREAS, in order to finance the Facilities it is necessary to incur bonded indebtedness in the amount of up to \$85,000,000;

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

SECTION 1. The foregoing recitals are true and correct, and the City Council so finds and determines.

SECTION 2. The City Council hereby declares that in order to finance the Facilities, it is necessary to incur bonded indebtedness.

SECTION 3. The purpose for which the proposed debt is to be incurred is to provide the funds necessary to pay the costs of the Facilities, including all costs and estimated costs incidental to, or connected with, the accomplishment of said purpose and of the financing thereof, as permitted by Section 53345.3 of the Act.

SECTION 4. The maximum amount of the proposed debt is \$85,000,000.

SECTION 5. The City Council hereby fixes Tuesday, April 18, 2023, at 6:30 p.m., or as soon thereafter as the City Council may reach the matter, at 303 East B Street, Ontario, California, as the time and place when and where the City Council will conduct a public hearing on the proposed debt authorization; provided, that, in the event the April 18, 2023 City Council meeting is held via teleconference and/or videoconference only, the means by which the public may observe such public hearing and offer public comment shall be prescribed in the notice and agenda for such City Council meeting.

SECTION 6. The City Clerk of the City is hereby directed to publish, or cause to be published, a notice of said public hearing one time in a newspaper of general circulation published in the area of the proposed Community Facilities District. The publication of said notice shall be completed at least seven days prior to the date herein fixed for said public hearing. Said notice shall contain the information prescribed by Section 53346 of the Act.

SECTION 7. All actions heretofore taken by the officers, employees, and agents of the City with respect to the proposed incurrence of bonded indebtedness by the Community Facilities District, or in connection with or related to any of the matters referred to herein, are hereby approved, confirmed, and ratified.

SECTION 8. The officers, employees and agents of the City are hereby authorized and directed to take all actions and do all things that they, or any of them, may deem necessary or desirable to accomplish the purposes of this Resolution and not inconsistent with the provisions hereof.

SECTION 9. This Resolution shall take effect immediately upon its adoption.

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

PASSED, APPROVED AND ADOPTED this 7th day of March, 2023.

PAUL S. LEON, MAYOR

ATTEST:

SHEILA MAUTZ, CITY CLERK

APPROVED AS TO FORM:

BEST BEST & KRIEGER LLP
CITY ATTORNEY

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

I, SHEILA MAUTZ, City Clerk of the City of Ontario, DO HEREBY CERTIFY that foregoing Resolution No. 2023- was duly passed and adopted by the City Council of the City of Ontario at their regular meeting held March 7, 2023 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. 2023- duly passed and adopted by the Ontario City Council at their regular meeting held March 7, 2023.

SHEILA MAUTZ, CITY CLERK

(SEAL)

CITY OF ONTARIO

Agenda Report
March 7, 2023

SECTION:
CONSENT CALENDAR

Department: Planning
Prepared By: Robert Morales
Staff Member Presenting:
Scott Murphy, Executive Director Community
Development
Reviewed By: Kimberly Ruddins, Charles
Mercier, Rudy Zeledon
Approved By:



Submitted To: Council/OHA
Approved: _____
Continued To: _____
Denied: _____
Item No: 6

SUBJECT: 2022 GENERAL PLAN ANNUAL PROGRESS REPORT AND 2022 HOUSING ELEMENT ANNUAL PROGRESS REPORT

RECOMMENDATION: That the City Council consider and adopt a Resolution authorizing Staff to transmit the 2022 General Plan Annual Performance Report, which includes the 2022 Housing Element Annual Progress Report, to the California Department of Housing and Community Development and the Governor's Office of Planning and Research.

THE FOLLOWING COUNCIL GOALS ARE BEING ACHIEVED:

Operate in a Businesslike Manner

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

Focus Resources in Ontario's Commercial and Residential Neighborhoods

FISCAL IMPACT: There is no direct fiscal impact associated with the approval of this report.

BACKGROUND & ANALYSIS: GENERAL PLAN ANNUAL PROGRESS REPORT: California Government Code Section 65400 requires that all cities and counties annually prepare and submit reports on their General Plan and specifically on their Housing Element. The General Plan Annual Progress Report (APR) and Housing Element APR are submitted to the Governor's Office of Planning and Research (OPR) and the California Department of Housing and Community Development (HCD) by April 1st of each year. The General Plan APR reports on the overall status of the General Plan and the progress in its implementation. The Housing Element APR reports on residential building activity throughout the year.

The Ontario Plan (TOP) was adopted by the City Council on January 27, 2010, and the technical update to the TOP (TOP 2050), which includes the City's Policy Plan (General Plan), was approved on August 16, 2022. Previously, on March 15, 2022, the City Council adopted the 2021- 2029 Housing Element, which was certified by HCD on October 7, 2022. The 2022 General Plan APR (Resolution, Attachment "A") summarizes progress toward implementation of the nine elements of the General Plan. As outlined in the report, the City continues to make substantial progress towards the 300-

plus goals and policies identified in the Policy Plan.

HOUSING ELEMENT PROGRESS REPORT: In accordance with California Government Code Section 65400, a report analyzing the City's progress towards compliance with the adopted Housing Element must be submitted to HCD and OPR annually. Cities and counties with compliant housing elements and up-to-date Housing Element APR submissions gain access to State grant funding (e.g., SB 2 Building Homes and Jobs Act and the Local Early Action Planning (LEAP) grants program). The APR for the calendar year 2022 is the first progress report for the 2021 to 2029 Housing Element. Per the requirements of SB 35 and AB 879, effective 2018, the State reporting requirements for the APR have significantly increased. Previously, reporting on issued Building Permits and the status of Housing Programs identified in The Ontario Plan was required. For the current 2022 calendar year, reporting on housing applications, entitlements, building permits issued, certificates of occupancy issued, and projects submitted under the new streamlining provisions is required, including assessor's parcel number (APN), address, and local jurisdiction identification number, as well as reporting on the status of all Housing Programs. The Housing Element APR (Resolution, Attachment "A") tracks housing activity from January 1, 2022, to December 31, 2022. The tables in the APR include the following:

Table A - Housing Development Applications Submitted: This table tracks applications submitted during the reporting period. The table identifies each application submitted, unit type, application submittal date, unit count (including affordability by housing income), total units, units approved, units disapproved, and project streamlining. The City received applications for 3,142 units during the reporting period, including 198 units in the Very Low-Income category and 2,944 units in the Above Moderate-Income category. Of those units submitted, 803 units were approved, and 2,339 were still awaiting final approval.

Table A2 - Annual Building Activity Report Summary on New Construction, Entitled, Permits, and Completed Units: This table identifies each project submitted, unit type, affordability by household income for completed entitlement, affordability by household income for building permits, affordability by household income for certificates of occupancy, streamlining, financial assistance, deed restrictions, and demolished/destroyed units. Entitlements were approved for 1,630 units (this total includes applications submitted in prior years). Building permits were issued for 1,176 units. Certificates of Occupancy was issued for 1,200 units (which include issued building permits from calendar years 2019, 2020, and 2021). Table A2 is not attached to this report due to its size and printing limitations; however, copies are available with the Records Management Department.

Table B - Regional Housing Needs Allocation Progress Permitted Units Issued by Affordability: This table summarizes the City's progress towards meeting the Regional Housing Needs Allocation (RHNA). The report and tables identify progress on implementing programs, the number of units permitted by the affordability category, and identifies progress toward meeting the RHNA allocation. This report covers year 1 of an 8-year cycle (100% of the Housing Element/RHNA cycle). Within this planning cycle, the City has issued permits for 15% of the total identified RHNA allocation. During 2022, the City issued building permits for a total of 1,176 units in the Above Moderate- Income category (households earning above 120% of the Area Median Income (AMI), including 1,062 single-family units, 97 Accessory Dwelling Units (ADUs), and 17 multi-family units.

Table C - Sites Identified or Rezoned to Accommodate Shortfall Housing Need: This table identifies

those parcels rezoned during the year to address a shortfall of available sites to meet the City's RHNA allocation. No properties were rezoned during the calendar year as the City's Housing Element identifies adequate sites to meet the City's RHNA requirements.

Table D - Program Implementation Status pursuant to Government Code section 65583: This table provides a summary of the City's annual progress in implementing programs and statutory requirements of the 2021-2029 Housing Element. The Housing Element identifies four major categories of housing goals and includes 31 implementing programs to accomplish these goals. The four major categories include:

1. Neighborhoods and Housing
2. Housing Supply and Diversity
3. Government Constraints
4. Housing Assistance

The attached narrative includes a more detailed explanation of each of the Housing Programs, its objective, timeframe, and status.

Table E - Commercial Development Bonus Approved pursuant to Government Code Section 65915.7: This table identifies those commercial sites receiving a development bonus for contributing to or providing affordable housing. There were no projects to report on during the reporting period.

Table F - Units Rehabilitated, Preserved and Acquired for Alternative Adequate Sites pursuant to Government Code section 65583.1(c): This table is optional and allows jurisdictions to list (for informational purposes) units that were substantially rehabilitated, acquired, or preserved but do not count towards the RHNA. Units may only be credited towards the RHNA when they are included as part of a specific program that meets Government Code Section 65583.1(c)(2). There were no projects to report on during the reporting period.

Table F2 - Above Moderate-Income Units Converted to Moderate Income pursuant to Government Code Section 65400.2: For up to 25% of a jurisdiction moderate-income regional housing needs allocation, the planning agency may include the number of units in an existing multi-family building that were converted to deed-restricted rental housing for moderate-income households by the imposition of affordability covenants and restrictions for the unit. There were no Above Moderate-Income units converted to Moderate Income during the reporting period.

Table G - Locally Owned Lands included in the Housing Element Sites Inventory that have been sold, leased, or otherwise disposed of, pursuant to Government Code section 65400.1: This table is only to be filled out if the housing element sites inventory contains a site which is or was owned by the reporting jurisdiction and has been sold, leased, or otherwise disposed of during the reporting year. There were no Locally Owned Lands to report on during the reporting period.

Table H - Locally Owned or Controlled Lands Declared Surplus Pursuant to Government Code Section 54221 or Identified as Excess Pursuant to Government Code Section 50569: This table is used to create an inventory of surplus lands and all lands over its foreseeable needs if any, that a City owns or controls. There were no Locally Owned or Controlled Lands to report on during the

reporting period.

Table I - Units Constructed Pursuant to Government Code Section 65852.21 and Applications for Lot Splits Pursuant to Government Code Section 66411.7 (SB9): This table only needs to be completed if there were lot splits applied for, or units constructed subject to SB 9. There were no units constructed or lot splits approved subject to SB 9.

Table J - Student Housing with Density Bonus: This table only needs to be completed if there was student housing constructed with a density bonus approved subject to Government Code Section 65915(b)(1)(F). There was no student housing constructed during this period.

Summary: This table autofill's from Tables A thru F and summarizes the APR, including building permits issued by affordability summary, housing applications summary, use of SB 35 streamlining provisions, and units permitted SB 35 Streamlining Permits.

LEAP Reporting: Cities are required to report on the status of their Local Early Action Planning (LEAP) grant. Ontario was awarded \$500,000 in LEAP funding and applied those funds toward the TOP 2050 Update. To date, the City has submitted one LEAP Request for Reimbursement of Funds totaling \$474,436.85.

Conclusion: Staff requests that the City Council authorize the submittal of the General Plan APR to OPR and the Housing Element APR to HCD and OPR in compliance with State law.

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING THE 2022 GENERAL PLAN ANNUAL PROGRESS REPORT (FILE NO. PADV23-001), WHICH INCLUDES THE HOUSING ELEMENT ANNUAL PROGRESS REPORT, AND AUTHORIZING STAFF TO SUBMIT THE REPORTS TO THE CALIFORNIA DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT AND THE GOVERNOR'S OFFICE OF PLANNING AND RESEARCH.

WHEREAS, the City of Ontario adopted The Ontario Plan pursuant to Section 65300 of the Government Code on January 27, 2010; and

WHEREAS, the City of Ontario adopted a technical update to The Ontario Plan (TOP 2050), which includes the City's Policy Plan (general plan) pursuant to Section 65300 of the Government Code on August 16, 2022; and

WHEREAS, the City of Ontario adopted the 2021-2029 Housing Element of the General Plan pursuant to Section 65352 of the Government Code on March 15, 2022; and

WHEREAS, the California Department of Housing and Community Development certified that the adopted 2021-2029 Housing Element was in full compliance with state housing law on October 7, 2022; and

WHEREAS, the City is required to submit an annual report on the status of the General Plan and progress in its implementation per Government Code Sections 65400 and 65700 and the City is required to submit an annual report on the progress of the Housing Element per Government Code Section 65400(b)(1); and

WHEREAS, the proposed 2022 General Plan Annual Progress Report (Attachment "A") has been prepared in accordance with Government Code Sections 65400 and 65700 and the proposed 2022 Housing Element Annual Progress Report (Attachment "A") has been prepared in accordance with Government Code Section 65400(b)(1); and

WHEREAS, the proposed 2022 Housing Element Annual Progress Report is the first Annual Progress Report for the 2022-2029 Housing Element Cycle; and

WHEREAS, the proposed 2022 General Plan Annual Progress Report, which includes the 2022 Housing Element Annual Progress Report, is categorically exempt from California Environmental Quality Act (CEQA), as amended (Section 15306, Information Collection); and

WHEREAS, on March 7, 2023, the City Council of the City of Ontario conducted a public meeting and considered the proposed 2022 General Plan Annual Progress Report,

which includes the Housing Element Annual Progress Report, and allowed oral testimony and written comments on the Report at said meeting.

NOW, THEREFORE, BE IT RESOLVED 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 has 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 environmental review pursuant to Section 15306, (Class 6 – Information Collection) of the CEQA Guidelines; 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 judgement of the City Council.

SECTION 2. ***City Council Action.*** Based upon the findings and conclusions set forth in Section 1 above and upon the substantial evidence presented to the City Council including the 2022 General Plan Annual Progress Report and public comments during the above-referenced hearing, the City Council hereby APPROVES the herein described Report attached hereto as “Attachment A,” and incorporated herein by this reference; and Planning staff is hereby authorized to submit the Reports to the California Department of Housing and Community Development (HCD) and the Governor’s Office of Planning and Research (OPR).

SECTION 3. ***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 4. ***Certification to Adoption.*** The City Clerk shall certify to the adoption of the Resolution.

PASSED, APPROVED, AND ADOPTED this 7th day of March 2023.

PAUL S. LEON, MAYOR

ATTEST:

SHEILA MAUTZ, CITY CLERK

APPROVED AS TO FORM:

BEST BEST & KRIEGER, LLP
CITY ATTORNEY

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

I, SHEILA MAUTZ, City Clerk of the City of Ontario, DO HEREBY CERTIFY that foregoing Resolution No. 2023- was duly passed and adopted by the City Council of the City of Ontario at their regular meeting held March 7, 2023, 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. 2023- duly passed and adopted by the Ontario City Council at their regular meeting held March 7, 2023.

SHEILA MAUTZ, CITY CLERK

(SEAL)

ATTACHMENT A:
2022 General Plan Element Annual Progress Report

(Document follows this page)



CITY OF ONTARIO

2022 GENERAL PLAN ANNUAL PROGRESS REPORT

Prepared by
City of Ontario
Planning Department
March 7, 2023

The Ontario Plan:

The Ontario Plan (TOP) serves as the framework for the City's business plan and provides a foundation for the City to operate as a municipal corporation that consists of 6) distinct components: 1) Vision; 2) Governance Manual; 3) Policy Plan (General Plan); 4) Council Priorities; 5) Implementation; and 6) Tracking and Feedback. The Policy Plan component of TOP meets the functional and legal mandate of a General Plan. It contains nine elements: Land Use, Housing, Parks and Recreation, Environmental Resources, Community Economics, Safety, Mobility, Community Design, Social Resources, and Environmental Justice is woven throughout the Policy Plan. The online version of The Ontario Plan can be found at Ontarioca.gov/Ontarioplan.

Advancing towards the City's Vision of "Complete Community", TOP provides a framework that connects long and short-term goals and policies to budgeting, implementation, and assessment of outcomes in support of day-to-day operations. This approach establishes and promotes Ontario's leadership role in the region in key areas. The Ontario Plan unifies planning decisions with those made by other City departments and provide better linkages between goals of different documents. The City embarked on a TOP Update to incorporate legislative mandates and re-visit the shared vision of "Complete Community".

Annual General Plan Report:

The City of Ontario conducted a comprehensive update to the City's General Plan – The Ontario Plan (TOP), adopted by the City Council on January 27, 2010, and initiated the update to TOP in 2019 (TOP 2050) which includes the City's Policy Plan (general plan) and approved by City Council in August 2022. The 2022 General Plan Annual Progress Report (Attachment A) provides a comprehensive listing of the Policy Plan Goals and Policies and associated status and/or comments. The primary purpose of the Annual Progress Report is to provide City Council with an update of the City's progress in implementing the General Plan's (TOP) Vision. A secondary purpose of this report is to fulfill the annual reporting requirements of the General Plan Annual Progress Report, submitted to the Governor's Office of Planning and Research (OPR), and the Housing Element Annual Progress Report, submitted to the California Department of Housing and Community Development (HCD). Both reports are due to their respective state agencies by April 1st of each year.

The General Plan Implementation Program Table identifies General Plan policies that have been completed, are in progress, or are an on-going activity of the City.

To assist in the review of the General Plan APR, this report presents the following information:

- EXHIBIT A – 2022 General Plan Implementation Program Table.
 - Attachment 1 – Amendments to the General Plan adopted by the City in 2022.
- EXHIBIT B – 2022 Housing Element Annual Progress Report.
 - Attachment 1 – Housing Element Land Inventory Map.

EXHIBIT A

2022 GENERAL PLAN IMPLEMENTATION PROGRAM TABLE

Goal	Policy	Action	Action Status/Comments
LAND USE ELEMENT			
Goal LU1 – A Community that has a spectrum of housing types and price ranges that match the jobs in the City and that make it possible for people to live and work in Ontario and maintain a quality of life.			
	LU1	Balance	
	LU1-1	Strategic Growth. We concentrate growth in strategic locations that help create place and identify, maximize available and planned infrastructure, and foster the development of transit.	The City of Ontario continues to be a focus for development in the region, with home sales being the highest in the region. The Planning Department accepted over 534 applications for various discretionary, legislative, and ministerial projects. The City of Ontario Planning Commission has entitled 1,630 dwelling units, 159,148 square feet of retail/commercial, and 3,746,872 square feet of Industrial. Permits were issued for 1,176 dwelling units, 226,851 square feet of retail/commercial, and 6,848,684 million square feet of industrial space. Some notable projects included the City Council approval of The Ontario Plan 2050 General Plan Update, Certification of the 2021-2029 Housing Element, and 2022 Community Climate Action Plan. The City also approved the first phase of the Ontario Center Arena District, approving 694 units and 71,200 square feet of commercial space. In 2022, construction commenced for a 1,400,000 million square foot 5-level industrial building within the Merrill Commerce Center Specific Plan.
	LU1-2	Sustainable Community Strategy. We integrate state, regional and local Sustainable Community/Smart Growth principles into the development and entitlement process.	City staff is continuing to work with both SBCTA and SCAG in support of sustainable strategies through participation in the development of the RTP/SCS Connect SoCal 2024 and local initiatives, including participation in the formation and founding member of the Inland Southern California Climate Collaborative (ISC3).
	LU1-3	Adequate Capacity. We require adequate infrastructure and services for all development.	On-going. Through our CIP program, City staff continues to update infrastructure needs.
	LU1-4	Mobility. We require development and urban design, where appropriate, that reduces reliance on the automobile and capitalizes on multi-modal transportation opportunities. (Refer to Mobility Element Policy M3-3).	On-going.
	LU1-5	Jobs-Housing Balance. We coordinate land use, infrastructure, and transportation planning and analysis with the regional, county, and other local agencies to further regional and sub-regional goals for jobs-housing balance. (Refer to Community Economics Element Policy CE1-1).	On-going.

Goal	Policy	Action	Action Status/Comments
	LU1-6	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. (Refer to Complete Community Section of Community Economics Element).	On-going. City staff has processes Development Plan applications, tract maps, and Conditional Use Permits encompassing a wide variety of residential, commercial, and industrial land uses.
Goal LU2 – Compatibility between a wide range of uses.			
	LU2	Compatibility	
	LU2-1	Land Use Decisions. We minimize adverse impacts on adjacent properties when considering land use and zoning request.	On-going.
	LU2-2	Buffers. We require new uses to provide mitigation or buffers between existing uses where potential adverse impacts could occur. (Refer to Community Design).	On-going.
	LU2-3	Hazardous Uses. We regulate the development of industrial and similar uses that use, store, produce or transport toxic substances, air emissions, other pollutants, or hazardous materials. (Refer to Hazardous Materials & Waste including Policies S6-4 and S6-5).	Ongoing. Reviewed as part of project processing.
	LU2-4	Regulation of Nuisances. We regulate the location, concentration, and operations of potential nuisances.	On-going.
	LU2-5	Regulation of Uses. We regulate the location, concentration, and operations of uses that have impacts on surrounding land uses.	On-going.
	LU2-6	Infrastructure Compatibility. We require infrastructure to be aesthetically pleasing and in context with the community.	Ongoing. Infrastructure siting is reviewed as part of the project processing.
	LU2-7	Inter-jurisdictional Coordination. We maintain an ongoing liaison with LAWA, Caltrans, Public Utilities Commission, the railroads, and other agencies to help minimize impacts and improve the operations and aesthetics of their facilities.	The City of Ontario coordinates with the Ontario International Airport Authority (OIAA), state and local entities, and other agencies to help minimize impacts and improve the operations and aesthetics of their facilities.
	LU2-8	Transitional Areas. We require development in transitional areas to protect the quality of life of current residents.	On-going.
	LU2-9	Methane Gas Sites. We require sensitive land uses and new uses on former dairy farms or other methane-producing sites to be designed to minimize health risks.	On-going.
Goal LU3 – Staff, regulations and processes that support and allow flexible responses to conditions and circumstances in order to achieve the Vision.			

Goal	Policy	Action	Action Status/Comments
	LU3	Flexibility	
	LU3-1	Development Standards. We maintain clear development standards that allow flexibility to achieve our Vision.	The City has periodically updated the zoning and development standards to support project processing and implemented a streamlined Administrative Use Permit process in compliance with State mandates.
	LU3-2	Design Incentives. We offer design incentives to help projects achieve the Vision. (Link to Community Design).	The City offers a Preliminary Review process for proposed entitlement projects.
	LU3-3	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.	On-going.
Goal LU4 – Development that provides short-term value only when the opportunity to achieve our Vision can be preserved.			
	LU4	Phased Growth	
	LU4-1	Commitment to Vision. We are committed to achieving our Vision but realize that it may take time and several interim steps to get there.	On-going.
	LU4-2	Interim Development. We allow development in growth areas that are not immediately reflective of our ultimate Vision provided. It can be modified or replaced when circumstances are right. We will not allow development that impedes, precludes, or compromises our ability to achieve our Vision. (Refer to Community Economics Policy CE2-3).	On-going. The City encourages development in growth areas commensurate to the scale of development that the investment can be sufficiently amortized to make Vision-compatible redevelopment financially feasible.
	LU4-3	Infrastructure Timing. We require that the necessary infrastructure and services be in place prior to or concurrently with development.	On-going and achieved through the City development entitlement process.
Goal LU5 – Integrated airport facilities that minimize negative impacts and maximize economic benefits.			
	LU5	Airport Planning	
	LU5-1	Coordination with Airport Authorities. We collaborate with FAA, Caltrans Division of Aeronautics, airport owners, neighboring jurisdictions, and other shareholders in the preparation, update, and maintenance of airport-related plans.	On-going.
	LU5-2	Airport Planning Consistency. We coordinate with airport authorities to ensure The Ontario Plan is consistent with state law, federal regulations, and/or adopted master plans and airport land use compatibility plans for Ontario International Airport (ONT) and Chino Airport.	The City of Ontario updated the Ontario Airport Land Use Compatibility Plan to be consistent with the most recent Airport Layout Plan for ONT. The City made revisions to the City of Ontario Development Code, establishing the Chino Airport Overlay zoning

Goal	Policy	Action	Action Status/Comments
			district to be in compliant with the Chino Airport Land Use Compatibility Plan adopted in 2022.
	LU5-3	Airport Impacts. We work with agencies to maximize resources to mitigate the impacts and hazards related to airport operations – their homes.	The City of Ontario previously managed the Part 150 (Quiet Home Program) initially approved by FAA in 1991. The Quiet Home Program focused on land acquisition and noise insulation of residential properties impacted by airport noise, but was terminated in September 2015 because of updated noise exposure maps (NEM) eligibility noise contours, which eliminated funding for the program. The City continues to support the Ontario International Airport Authority (OIAA) to maintain the Noise Management Program for ONT.
	LU5-4	ONT Growth Forecast. We support and promote an ONT that accommodates 30 million annual passengers and 1.6 million tons of cargo per year, as long as the impacts associated with that level of operations are planned for and mitigated.	The City supports the OIAA Joint Powers Agreement (JPA), the owner of the Ontario International Airport.
	LU5-5	Airport Compatibility Planning for ONT. We create and maintain the Airport Land Use Compatibility Plan for ONT.	On-going.
	LU5-6	Alternative Process. We fulfill our responsibilities and comply with state law with regard to the Alternative Process for proper airport land use compatibility planning.	On-going.
	LU5-7	ALUCP Consistency with Land Use Regulations. We comply with state law that requires general plans, specific plans, and all new development to be consistent with the policies and criteria set forth within an Airport Land Use Compatibility Plan for any public-use airport.	On-going.
	LU5-8	Chino Airport. We will support the creation and implementation of the Airport Land Use Compatibility Plan for Chino Airport.	The City made Revisions to the City of Ontario Development Code, establishing the Chino Airport Overlay zoning district to be in compliant with the Chino Airport Land Use Compatibility Plan adopted in 2022.

COMMUNITY DESIGN ELEMENT

Goal CD1 – A dynamic, progressive city containing distinct neighborhoods and commercial districts that foster a positive sense of identity and belonging among residents, visitors, and businesses.

	CD1	Image & Identity	
	CD1-1	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.	On-going.

Goal	Policy	Action	Action Status/Comments
	CD1-2	Growth Areas. We require development in growth areas to be distinctive and unique places within which there are cohesive design themes.	The General Plan provides guidance in the development of identified Growth Areas and supports distinctive and unique places as development applications are submitted. For the Historic Downtown Growth Area, the City approved a Downtown Mixed-Use District Plan to provide a clear and distinctive design program.
	CD1-3	Neighborhood Improvement. We require viable existing residential and non-residential neighborhoods to be preserved, protected, and enhanced in accordance with our land-use policies and themes.	On-going.
	CD1-4	Transportation Corridors. We will enhance our major transportation corridors within the City through landscape, hardscape, signage, and lighting.	On-going.
	CD1-5	View Corridors. We require all major north-south streets be designed and redeveloped to feature views of the San Gabriel Mountains, which are part of the City's visual identity and a key to geographic orientation. Such views should be free of visual clutter, including billboards, and maybe enhanced by framing with trees.	On-going and implemented through our entitlement design review process.
Goal CD2 – A high level of design quality resulting in public spaces, streetscapes, and developments that are attractive, safe, functional and distinct.			
	CD2	Design Quality	
	CD2-1	Quality Architecture. We encourage all development projects to convey visual interest and character through 1) Building volume, massing, and height to provide appropriate scale and proportion; 2) A true architectural style which is carried out in the plan, section and elevation through all aspects of the building and site design and appropriate for its setting; 3) Exterior building materials that are visually interesting, high quality, durable, and appropriate for the architectural style.	To ensure quality architecture and consistent application, the City has created an on-going Urban Design Studio training module providing staff the opportunity to learn and collaborate regarding basic quality design concepts. In addition, the Ontario Development Code and city-wide Specific Plans provide for design guidelines for residential and non-residential developments that focus on neighborhood context, building scale/massing, materials, and architectural styles. As part of The Ontario Plan 2050 Update, the City is developing Objective Development and Design Standards.
	CD2-2	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: 1) A pattern of smaller, walkable blocks that promote access, activity, and safety; 2) Variable setbacks and parcel sizes to accommodate a diversity of housing types; 3) Traffic calming measures to slow traffic and promote walkability while maintaining acceptable fire protection and traffic flows;	On-going and implemented through the Ontario Development Code, City-wide Specific Plans, and Planned Unit Developments.

Goal	Policy	Action	Action Status/Comments
		4) Floor plans that encourage views onto the street and de-emphasize the visual and physical dominance of garages (introducing the street frontage as the "outdoor living room") and porches in front of homes, as appropriate; and 5) Landscaped parkways, with sidewalks separated from the curb.	
	CD2-3	Commercial Centers. We desire commercial centers to be distinctive, pedestrian-friendly, functional, and vibrant with a range of businesses, places to gather, and connectivity to the neighborhoods they serve.	On-going and implemented through the Ontario Development Code, City-wide Specific Plans, and Planned Unit Developments.
	CD2-4	Mixed-Use, Urban Office, and Transit Serving Areas. We require mixed-use, urban office and transit serving areas to be designed and developed as pedestrian-oriented "villages" that promote a vibrant, comfortable, and functional environment.	On-going and implemented through the Ontario Development Code, City-wide Specific Plans, and Planned Unit Developments.
	CD2-5	Streetscapes. We design new and, when necessary, retrofit existing streets to improve walkability, bicycling, and transit integration, to strengthen connectivity, and enhance community identity through improvements to the public right of way such as sidewalks, street trees, parkways, curbs, street lighting, and street furniture.	On-going and implemented through the Ontario Development Code, City-wide Specific Plans, and Planned Unit Developments.
	CD2-6	Connectivity. We promote development of street patterns and pedestrian networks that create and unify neighborhoods, rather than divide them, and create cohesive and continuous corridors, rather than independent "islands" through the following means (Link to Mobility): 1) Local street patterns that provide access between subdivisions, within a neighborhood and discourage through traffic; 2) A local street system that is logical and understandable for the user. A grid system is preferred to avoid circuitous and confusing travel paths between internal neighborhood areas and adjacent arterials; and 3) Neighborhoods, centers, public schools, and parks that are linked by pedestrian greenways/open space networks. These may also be used to establish clear boundaries between distinct neighborhoods and/or centers.	On-going and implemented through the Ontario Development Code, City-wide Specific Plans, and Planned Unit Developments.
	CD2-7	Sustainability. We collaborate with the development community to design and build neighborhoods, streetscapes, sites, outdoor spaces, landscaping, and buildings to reduce energy demand through solar orientation, maximum use of	On-going and implemented through the Ontario Development Code, City-wide Specific Plans, and Planned Unit Developments.

Goal	Policy	Action	Action Status/Comments
		natural daylight, passive solar and natural ventilation, building form, mechanical and structural systems, building materials and construction techniques.	
	CD2-8	Safe Design. We incorporate defensible space design into new and existing developments to ensure the maximum safe travel and visibility on pathways, corridors, and open space and at building entrances and parking areas by avoiding physically and visually isolated spaces, maintaining visibility and accessibility, and using lighting.	On-going and implemented through the Ontario Development Code, City-wide Specific Plans, and Planned Unit Developments.
	CD2-9	Landscape Design. We encourage durable landscaping materials and designs that enhance the aesthetics of structures, create and define public and private spaces, and provide shade and environmental benefits.	On-going and implemented through the Ontario Development Code, City-wide Specific Plans, and Planned Unit Developments.
	CD2-10	Surface Parking Areas. We require parking areas visible to or used by the public to be landscaped in an aesthetically pleasing, safe, and environmentally sensitive manner. Examples include shade trees, pervious surfaces, urban run-off capture and infiltration, and pedestrian paths to guide users through the parking field.	On-going and implemented through the Ontario Development Code, City-wide Specific Plans, and Planned Unit Developments.
	CD2-11	Entry Statements. We encourage the inclusion of amenities, signage, and landscaping at the entry to neighborhoods, commercial centers, mixed-use areas, industrial developments, and public places that reinforce them as uniquely identifiable places.	On-going and implemented through the Ontario Development Code, City-wide Specific Plans, and Planned Unit Developments.
	CD2-12	Site and Building Signage. We encourage the use of sign programs that utilize complementary materials, colors, and themes. Project signage should be designed to effectively communicate and direct users to various aspects of the development and complement the character of the structures.	On-going and implemented through the Ontario Development Code, City-wide Specific Plans, and Planned Unit Developments.
	CD2-13	Entitlement Process. We work collaboratively with all stakeholders to ensure a high degree of certainty in the efficient review and timely processing of all development plans and permits.	On-going and implemented through the City's preliminary Review process that allows stakeholders to anticipate Development Code, and infrastructure requirements, before formal entitlement submittal.
	CD2-14	Availability of Information. We provide easy access to information for developers, builders, and the public about design quality, construction quality, and sustainable building practices.	On-going and implemented through information on the Planning Department Website and Public Counter handouts.

Goal	Policy	Action	Action Status/Comments
	CD2-15	Leverage Professional and Trade Organizations. We support excellence in design and construction quality through collaboration with trade and professional organizations that provide expertise, resources, and programs for developers, builders, and the public.	On-going. The City continues to work in collaboration with the Building Industry Association (BIA) and other organizations to help provide resources and programs for developers, builders, and the public.
Goal CD3 – Vibrant urban environments that are organized around intense buildings, pedestrian and transit areas, public plazas, and linkages between and within developments that are conveniently located, visually appealing and safe during all hours.			
	CD3	Pedestrian & Transit Environments	
	CD3-1	Design. We require that pedestrian, vehicular, bicycle, and equestrian circulation on both public and private property be coordinated and designed to maximize safety, comfort, and aesthetics.	On-going and implemented through the Ontario Development Code, City-wide Specific Plans, and Planned Unit Developments.
	CD3-2	Connectivity Between Streets, Sidewalks, Walkways, and Plazas. We require landscaping and paving to be used to optimize visual connectivity between streets, sidewalks, walkways, and plazas for pedestrians.	On-going and implemented through the Ontario Development Code, City-wide Specific Plans, and Planned Unit Developments.
	CD3-3	Building Entrances. We require all building entrances to be accessible and visible from adjacent streets, sidewalks, or public open spaces.	On-going and implemented through the Ontario Development Code, City-wide Specific Plans, and Planned Unit Developments.
	CD3-4	Ground Floor Usage of Commercial Buildings. We create lively pedestrian streetscapes by requiring the location of uses, such as shopping, galleries, restaurants, etc., on ground floors adjacent to sidewalks.	On-going and implemented through the Ontario Development Code, City-wide Specific Plans, and Planned Unit Developments.
	CD3-5	Paving. We require sidewalks and road surfaces to be of a type and quality that contributes to the appearance and utility of streets and public spaces.	On-going and implemented through the Ontario Development Code, City-wide Specific Plans, and Planned Unit Developments.
	CD3-6	Landscaping. We utilize landscaping to enhance the aesthetics, functionality, and sustainability of streetscapes, outdoor spaces, and buildings.	On-going and implemented through the Ontario Development Code, City-wide Specific Plans, and Planned Unit Developments.
	CD3-7	Transit Stops. We require transit stops be well lit, safe, appealing to, and accessible by pedestrians.	On-going and implemented through the Ontario Development Code, City-wide Specific Plans, and Planned Unit Developments.
Goal CD4 – Historic buildings, streets, landscapes and neighborhoods, as well as the story of Ontario's people, businesses, and social and community organizations, have been preserved and serve as a focal point for civic pride and identity.			
	CD4	Historic Preservation	
	CD4-1	Cultural Resource Management. We update and maintain an inventory of historic sites and buildings, professional collections,	City staff updates and maintains the inventory on an on-going regular basis.

Goal	Policy	Action	Action Status/Comments
		artifacts, manuscripts, photographs, documents, maps, and other archives.	
	CD4-2	Collaboration with Property Owners and Developers. We educate and collaborate with property owners and developers to implement strategies and best practices that preserve the character of our historic buildings, streetscapes, and neighborhoods.	City staff works with residential property owners and developers on the preservation, restoration, rehabilitation, and adaptive reuse of historic buildings and on new “infill” construction located within historic neighborhoods by requiring a Certificate of Appropriateness. Staff will guide the applicant through the process and make recommendations on appropriate treatments pursuant to the Secretary of Interior Standards for the Treatment of Historic Properties.
	CD4-3	Collaboration with Outside Agencies. We pursue opportunities to team with other agencies, local organizations, and non-profits in order to preserve and promote Ontario's heritage.	City staff collaborates with state, regional, and sub-regional agencies to avoid or mitigate impacts that projects might have on cultural resources.
	CD4-4	Incentives. We use the Mills Act and other federal, state, regional, and local programs to assist property owners with the preservation of select properties and structures.	The City has a Mills Act Program and a Downtown Façade Improvement Program to incentivize the preservation of historic buildings.
	CD4-5	Adaptive Reuse. We actively promote and support the adaptive reuse of historic sites and buildings to preserve and maintain their viability.	City staff receives training and support for the use of the Historic Building Code for the adaptive reuse of historic buildings.
	CD4-6	Promotion of Public Involvement in Preservation. We engage in programs to publicize and promote the City's and the public involvement in preservation efforts.	The City provides a variety of programs, including Landmark Plaque Program, annual Historic Preservation Awards for property owners who have excelled in historic preservation.
	CD4-7	Public Outreach. We provide opportunities for our residents to research and learn about the history of Ontario through the Planning Department, Museum of History and Art, Ontario, and the Robert E. Ellingwood Model Colony History Room.	Provide opportunities for our residents to learn about preservation through Arts and Culture programming, including the website for cataloging historic information.
Goal CD5 – A sustained level of maintenance and improvement of properties, buildings and infrastructure that protects the property values and encourages additional public and private investments.			
	CD5	Protection of Investment	
	CD5-1	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.	On-going.
	CD5-2	Maintenance of Infrastructure. We require the continual maintenance of infrastructure.	On-going.
	CD5-3	Improvements to Property & Infrastructure. We provide programs to improve property and infrastructure.	Complete the integration of Ontario Ranch Development Impact Fee (DIF) credits and reimbursements with the Accela Permitting System, improving the accounting data as well as secure city assets and infrastructure.

Goal	Policy	Action	Action Status/Comments
	CD5-4	Neighborhood Involvement. We encourage active community involvement to implement programs aimed at the beautification and improvement of neighborhoods.	On-going. The Neighborhood Action Team was formed in 2019 and included key members from various City agencies. This team is the implementing entity for the Neighborhood Preservation Strategy, which is designed to create meaningful community engagement to build sustainable neighborhoods organically.
Refer to the attached Housing Element Annual Progress Report			
COMMUNITY ECONOMICS ELEMENT			
Goal CE1 – A complete community that provides for all incomes and stages of life.			
	CE1	Complete Community	
	CE1-1	Jobs-Housing Balance. We pursue improvement to the Inland Empire's balance between jobs and housing by promoting job growth that reduces the regional economy's reliance on out-commuting.	On-going.

Goal	Policy	Action	Action Status/Comments
	CE1-2	Jobs and Workforce Skills. We use our economic development resources to 1) attract jobs suited for the skills and education of current and future City residents; 2) work with regional partners to provide opportunities for the labor force to improve its skills and education, and 3) attract businesses that increase Ontario's stake and participation in growing sectors of the regional and global economy. (Refer to Social Resources Policy SR2-2).	On-going. The City is engaged in several partnership programs from local school districts (OMSD, etc.) and Community Colleges to San Bernardino County Workforce Development Department (SBCWDD). Partnering with the schools, the City continues to support the Ontario-Montclair Promise Scholars Program to assist Ontario-Montclair youth by helping to prepare them in their journey towards a college education. SBCWDD oversees a suite of workforce development programs in the region that help place San Bernardino County residents in new jobs or gain new skills. These programs include job fairs at the local community colleges and high schools, job readiness workshops, and one-on-one job coaching. Additionally, SBCWDD oversees a number of educational programs to help prepare unemployed or underemployed residents to enter the workforce, including English language courses, assistance obtaining a high school diploma or General Educational Development (GED), and scholarships for higher education. As part of the Strategic Growth Council TCC grant workforce opportunities reach residents of the TCC project area specifically, SBCWDD created a permanent workforce development program within downtown Ontario. The City initiated a virtual workforce development program and completed the Workforce Development Office space within the Ovitt Family Community Library. Ontario City Library partners with Jobs Vision Success – JVS SoCal, a regional workforce development non-profit headquartered in Los Angeles. The library specifically partners with the JVS Veterans Services team with available virtual veterans resources services.
	CE1-3	Regional Approach to Workforce Development. We work with our partners to provide workforce training and development services throughout the region, recognizing that Ontario employers rely on workers living outside of the City.	SBCWDD established a Satellite Workforce Services Office to provide job training and placement assistance for residents; construction of a new parking structure in Downtown and \$7.7 million for street pavement rehabilitation and traffic signage projects to ensure city streets are of the highest possible quality. Workforce Development office located at Ovitt Family Community Library and open M-F, same hours as library.
	CE1-4	Business Retention and Expansion. We continuously improve two-way communication with the Ontario business community	On-going. City staff engages in an on-going proactive business retention program encompassing scheduled virtual one-on-one meetings with the business to identify needs to help enhance business

Goal	Policy	Action	Action Status/Comments
		and emphasize customer service to existing businesses as part of our competitive advantage.	services or explore possible expansion options and informal periodic check-ins.
	CE1-5	Business Attraction. We proactively attract new and expanding businesses to Ontario in order to increase the City's share of growing sectors of the regional and global economy.	The City continues a proactive approach to attract businesses through virtual attendance to various conferences and tradeshow (e.g., ICSC) throughout the country and collaborate with local partners (e.g., OIAA).
	CE1-6	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 encourage the development of housing supportive of our efforts to attract business in growing sectors of the community while being respectful of existing viable uses.	On-going. The City continues to collaborate with the development community on a variety of housing types for every stage of life.
	CE1-7	Retail Goods and Services. We seek to ensure a mix of retail businesses that provide the full continuum of goods and services for the community.	On-going and implemented through the Ontario Development Code, City-wide Specific Plans, and Planned Unit Developments.
	CE1-8	Regional Attractions. We encourage the development and programming of regional cultural and entertainment destinations in Ontario.	On-going. The City-Owned Toyota Area and regional Outlet Mall (Ontario Mills) are regional attractions. Currently, the City finalized the Downtown Mixed-Use District Plan to revitalize the Historic Downtown into a vibrant, culturally diverse, mixed-use entertainment destination for our community and visitors. Other regional attractions include the City's Museum of History and Art and the Chaffey Community Museum of Art, located in the City's Downtown. Through special themed exhibits and programmed cultural events, such as the yearly Ontario Festival of the Arts, the Museums attract many residents and visitors to the downtown. Complementing the cultural assets in the Downtown, the Recreation & Community Services Department hosts a ten-week summer concert series and eight-week movies in the park at Ontario Town Square park. Each summer, over 50,000 spectators participate in this summer series. Additionally, the Department hosts an Independence Day Parade, Fireworks Spectacular Show, and Holiday Light Parade, which each bring over 20,000 spectators at each of those events to the City.
	CE1-9	Regional Leadership. We provide leadership for public, quasi-public, and private-sector partners that help Ontario and its residents and businesses realize our goals and achieve our Vision.	On-going.

Goal	Policy	Action	Action Status/Comments
	CE1-10	Life-Long Education. We work with our partners who provide life-long learning to ensure that our residents and workforce have access to education at all stages of life.	On-going. We partner with non-profit originations, health organizations, and school districts to provide and ensure life-long learning opportunities for our residents and workforce have access to education at all stages of life. The City has established and continues the Community College Promise Program to expand access to higher education, support local economic development initiatives, and encourage students to obtain a vocational or higher education degree to enhance and retain the workforce in the region. The City's Recreation & Community Service Department offers the Empowerment Scholarship Program that allows all youth, adults, seniors and veterans from low-income backgrounds the opportunity to participate in recreation activities, classes, and programs that will enrich their lives and in turn, positively impact their families, schools, and community. The Department also has AmeriCorps Members that act as Youth Mentors to guide children to achieve their dreams and provide mentorship opportunities to them out of the Dorothy A. Quesada Community Center.
	CE1-11	Socioeconomic Trends. We continuously monitor, plan for, and respond to changing socioeconomic trends.	On-going.
	CD1-12	Circulation. We continuously plan and improve public transit and non-vehicular circulation for the mobility of all, including those with limited or no access to private automobiles. (Refer to Mobility Public Transit).	On-going.
	CD1-13	Safety and Security. We invest in public safety and communicate our successes because the perception and reality of safety and security are necessary prerequisites for private investment and economic growth.	On-going.
Goal CE2 – A City of distinctive neighborhoods, districts, and corridors, where people choose to be.			
	CE2	Place-Making	
	CE2-1	Development Projects. We require new development and redevelopment to create unique, high-quality places that add value to the community. (Refer to Community Design Element).	On-going.
	CE2-2	Development Review. We require those proposing new development and redevelopment to demonstrate how their projects will create appropriately unique, functional, and	On-going.

Goal	Policy	Action	Action Status/Comments
		sustainable places that will compete well with their competition within the region.	
	CE2-3	Interim Development. We require interim development that does not reflect the long-term Vision, be limited in the scale of development so that the investment can be sufficiently amortized to make Vision-compatible redevelopment financially feasible.	On-going.
	CE2-4	Protection of Investment. We require that new development and redevelopment protect the existing investment by providing architecture and urban design of equal or greater quality.	On-going.
	CE2-5	Private Maintenance. We require adequate maintenance, upkeep, and investment in private property because proper maintenance on private property protects property values. (Refer to Community Design Policy CD5-1).	On-going.
	CE2-6	Public Maintenance. We require the establishment and operation of maintenance districts or other vehicles to fund the long-term operation and maintenance of the public realm, whether on private land, in rights-of-way, or on publicly owned property. (Refer to Community Design Policy CD5-1).	On-going.
Goal CE3 – Decision-making deliberations that incorporate the full short-term and long-term economic and fiscal implications of proposed City Council actions.			
	CE3	Fiscal Decision-Making	
	CE3-1	Fiscal Impact Disclosure. We require requests for City Council action to disclose the full fiscal impacts, including direct and indirect costs.	Ongoing.
	CE3-2	General Plan Amendments. We require those proposing General Plan amendments to disclose reasonably foreseeable impacts through a fiscal analysis.	On-going.
	CE3-3	Long-Term Funding Disclosure. We require those requesting City support or funding for projects or programs to disclose if and how they can be continued without further City support.	The City's CIP is in compliance with state law and provides website links to all revenue share agreements.
	CE3-4	Improving Fiscal Decision-Making. We periodically assess the accuracy of projections for staff time and City resources and use the assessment results to improve our fiscal decision-making process.	On-going.

Goal	Policy	Action	Action Status/Comments
	CE3-5	Sustainable Development. We recognize impacts to municipal finances as an element of sustainability, and we require claims of sustainability to assess fiscal impacts.	On-going.
	CE3-6	Fully Funded Liability. We require long term liabilities such as retiree medical benefits, employee accrued leave balances, and self-insured liability claims to be fully funded to ensure sound, long term fiscal health.	On-going.
	CE3-7	Programmatically Balanced Budget. We require that the annual budget include appropriations allocated in a manner to meet the goal of the programmatically balanced budget.	On-going.
	CE3-8	Budget Margins. We require that the adopted budget for revenues and expenditures reflect sufficient budget margins to minimize negative impacts to City services due to economic uncertainties.	On-going.
	CE3-9	Complete Comparative Context. We require that our annual budget process provide the complete comparative context for proposed new and increased funding so decision makers can fully understand the trade-offs among budget choices.	On-going.

MOBILITY ELEMENT

Goal M1 – A system of roadways that meets the mobility needs of a dynamic and prosperous Ontario.

M1	Roadway Systems	
M1-1	Roadway Design and Maintenance. We require our roadways to: 1) Comply with federal, state and local design and safety standards; 2) Meet the needs of multiple transportation modes and users; 3) Handle the capacity envisioned in the Functional Roadway Classification Plan; 4) Maintain a peak hour Level of Service (LOS) E or better at all intersections; 5) Be compatible with the streetscape and surrounding land uses, and 6) Be maintained in accordance with best practices and our Right-Of-Way Management Plan.	Ongoing maintenance programs include pavement reconstruction, street overlays, slurry seals, pothole repairs, and sidewalk replacement.
M1-2	Mitigation of Impacts. We require development to mitigate its traffic impacts.	Ongoing.
M1-3	Roadway Improvements. We work with Caltrans, SANBAG, and others to identify, fund, and implement needed improvements to roadways identified in the Functional Roadway Classification Plan.	The City, SBCTA and Caltrans completed interchange improvements at SR-60/Archibald Avenue. The City is also coordinating with SBCTA and Caltrans in the construction of the I-10 Express Lane Project as well as the design of the I-15 Express Lane Project. The City is also working with SBCTA and Omnitrans to improve Holt Boulevard to

Goal	Policy	Action	Action Status/Comments
			accommodate a future Bus Rapid Transit (West Valley Connector) and is currently completing the Design Phase.
	M1-4	Adjacent Jurisdictions. We work with neighboring jurisdictions to meet our level of service standards at the City limits.	The City is working with the City of Fontana on improvements to the intersection of Airport Drive and Etiwanda Avenue. The City is working with the City of Montclair on bicycle network opportunities.
	M1-5	Complete Streets. We work to provide a balanced context sensitive, multimodal transportation network that meets the needs of all users of streets, roads, and highways, including motorists, pedestrians, bicyclists, children, persons with disabilities, seniors, movers of commercial goods and users of public transportation.	On-going.
Goal M2 – A system of trails and corridors that facilitate and encourage bicycling and walking.			
	M2	Bicycle & Pedestrians	
	M2-1	Bikeway Plan. We maintain our Multipurpose Trails and Bikeway Corridor Plan to create a comprehensive system of on-and off-street bikeways that connect residential areas, businesses, schools, parks, and other key destination points.	The City completed the Active Transportation Master Plan which updated the City's Bicycle Plan, created a pedestrian plan, and addressed access to schools and transit for both pedestrians and bicyclists.
	M2-2	Bicycle System. We provide off-street multipurpose trails and Class II bikeways as our primary paths of travel and use the Class III for connectivity in constrained circumstances.	As part of the TCC grant, construction will begin on buffered bike lane improvements on Mission Boulevard. The City received a grant from the Active Transportation Program (ATP) to implement a bicycle boulevard on Vine Avenue and B Street. Design is underway.
	M2-3	Pedestrian Walkways. We require walkways that promote safe and convenient travel between residential areas, businesses, schools, parks, recreation areas, and other key destination points.	The City is completing a \$7 million Active Transportation Program (ATP) grant funded project for more than 3 miles of missing sidewalks, 189 handicap ramps, and two enhanced crossings. As part of the TCC grant, design includes three missing sidewalk sections and enhanced crossings on Holt Boulevard.
	M2-4	Network Opportunities. We explore opportunities to expand pedestrian and bicycle networks. This includes consideration of utility easements, levees, drainage corridors, road rights-of-way, medians, and other potential options.	On-going.
Goal M3 – A public transit system that is a viable alternative to automobile travel and meets the basic transportation needs of transit dependent.			
	M3	Public Transit	
	M3-1	Transitional Areas. We require development in transitional areas to protect the quality of life of current residents.	On-going.
	M3-2	Transit Facilities at New Development. We require new development to provide transit facilities, such as bus shelters, transit bays, and turnouts, as necessary.	On-going. These improvements are incorporated into the design of street improvements where applicable.

Goal	Policy	Action	Action Status/Comments
	M3-3	Transit-Oriented Development. We may provide additional development-related incentives to those inherent in the Land Use Plan for projects that promote transit use.	On-going.
	M3-4	Bus Rapid Transit (BRT) Corridors. We work with regional transit agencies to implement BRT service to target destinations and along corridors, as shown in the Transit Plan.	On-going. The City continues to work with SBCTA and Ominitrans to refine the design of the West Valley Connector (BRT) project.
	M3-5	Light Rail. We support the extension of the Metro Rail Gold Line to Ontario and will work to secure station locations adjacent to the Meredith site and at the proposed multimodal transit center.	The City completed the Multimodal Transportation Center (MTC) Needs Assessment and Siting Criteria project which looks at potential locations for an MTC on or near the Ontario International Airport connecting future modes of transportation including light rail opportunities.
	M3-6	Metrolink Expansion. We advocate expansion of Metrolink service to include the Downtown and the multimodal transit center.	On-going.
	M3-7	High-Speed Rail. We encourage the development of high-speed rail systems that would enhance regional mobility in southern California and serve the City of Ontario.	On-going.
	M3-8	Feeder Systems. We work with regional transit agencies to secure convenient feeder service from the Metrolink station and the proposed multimodal transit center to employment centers in Ontario.	The City supported SBCTA's pilot program that offers Lyft connections to and from the Ontario International Airport and three Metrolink stations.
	M3-9	Ontario Airport Metro Center Circulator. We will explore the development of a convenient mobility system, including but not limited to shuttle service, people mover, and shared car system for the Ontario Airport Metro Center.	On-going.
	M3-10	Multimodal Transit Center. We intend to ensure the development of a multimodal transit center near LAONT airport to serve as a transit hub for local buses, BRT, the Gold Line, high-speed rail, the proposed Ontario Airport Metro Center circulator, and other future transit modes.	The City completed the Multimodal Transportation Center (MTC) Needs Assessment and Siting Criteria project which looks at potential locations for an MTC on or near the Ontario International Airport connecting future modes of transportation including light rail opportunities.
	M3-11	Transit and Community Facilities. We require the future development of community-wide serving facilities to be sited in transit-ready areas that can be served and made accessible by public transit. Conversely, we plan (and coordinate with other transit agencies to plan) future transit routes to serve existing community facilities.	The City continues to work with the community in assessing potential needs and collaborate with Omnitrans in potential modifications related to their routes and service levels.
Goal M4 – An efficient flow of goods through the City that maximizes economic benefit and minimizes negative impacts.			

Goal	Policy	Action	Action Status/Comments
	M4	Goods Movement	
	M4-1	Truck Routes. We designate and maintain a network of City truck routes that provide for the effective transport of goods while minimizing negative impacts on local circulation and noise-sensitive land uses, as shown in the Truck Routes Plan.	On-going.
	M4-2	Regional Participation. We work with regional and sub-regional transportation agencies to plan and implement goods movement strategies, including those that improve mobility, deliver goods efficiently, and minimize negative environmental impacts. (Refer to Environmental Resources Policy ER4-3).	City staff works with our regional partners (Southern California Association of Governments (SCAG), California Air Resources Board (CARB), and SBCTA) as new strategies are developed.
	M4-3	Railroad Grade Separations. We eliminate at-grade rail crossings identified on the Functional Roadway Classifications Plan.	On-going.
	M4-4	Environmental Considerations. We support efforts to reduce/eliminate the negative environmental impacts of goods movement.	Through the City's rezoning efforts to ensure the zoning of properties were consistent with the City's adopted General Plan, in part, to ensure warehousing / industrial uses will be compatible with adjacent land uses.
	M4-5	Air Cargo. We support and promote a LAONT that accommodates 1.6 million tons of cargo per year, as long as the impacts associated with that level of operations are planned for and mitigated.	In 2018, local control of the Ontario International Airport was acquired through the formation of the OIAA JPA. The City continues to review development applications for on-airport development projects to ensure the impacts are adequately mitigated.
Goal M5 – A productive leadership role to help identify and facilitate implementation strategies that address regional transportation challenges.			
	M5	Regional Transportation	
	M5-1	Regional Leadership. We maintain a leadership role to help identify and implement potential solutions to long-term regional transportation problems.	City staff are active participants on the SBCTA's Transportation Technical Committee, the SCAG SoCal Connects Technical Working Group, and the State's Active Transportation Advisory Committee.
	M5-2	Land Use Compatibility with Regional Transportation Facilities. We work with LAWA, railroads, Caltrans, SANBAG, and other transportation agencies to minimize impacts.	On-going.
ENVIRONMENTAL RESOURCE ELEMENT			
Goal ER1 – A reliable and cost-effective that permits the City to manage its diverse water resources and needs.			
	ER1	Water and Wastewater	
	ER1-1	Local Water Supply. We increase local water supplies to reduce our dependence on imported water.	The City collaborates with the Metropolitan Water District (MWD) and Inland Empire Utilities Agency (IEUA) in support of local water supplies.
	ER1-2	Matching Supply to Use. We match the water supply and quality to the appropriate use.	On-going.

Goal	Policy	Action	Action Status/Comments
	ER1-3	Conservation. We require conservation strategies that reduce water usage.	On-going. The Community Climate Action Plan provides water conservation measures, and associated landscape conservation measures. In addition, the Ontario Municipal Utility Company provides citizens with access to water conservation programs.
	ER1-4	Supply-Demand Balance. We require that available water supply and demands be balanced.	On-going.
	ER1-5	Groundwater Management. We protect groundwater quality by incorporating strategies that prevent pollution, require remediation where necessary, capture and treat urban runoff, and recharge the aquifer.	On-going.
	ER1-6	Urban Run-Off Quantity. We encourage the use of low impact development strategies to intercept run-off, slow the discharge rate, increase infiltration, and ultimately reduce discharge volumes to traditional storm drain systems.	On-going.
	ER1-7	Urban Run-Off Quality. We require the control and management of urban runoff, consistent with Regional Water Quality Control Board regulations.	On-going.
	ER1-8	Wastewater Management. We require the management of wastewater discharge and collection consistent with waste discharge requirements adopted by the Regional Water Quality Control Board.	On-going.
Goal ER2 – A cost effective, integrated waste management system that meets or exceed state and federal recycling and waste diversion mandates.			
	ER2	Solid Waste & Recycling	
	ER2-1	Waste Diversion. We shall meet or exceed the AB 939 requirements.	On-going.
	ER2-2	Hazardous and Electronic Wastes. We prohibit the disposal of hazardous and electronic waste into the municipal waste stream pursuant to state law.	On-going.
	ER2-3	Purchase Products Made from Recycled Materials. We purchase recycled-content products where it is cost-effective.	On-going.
Goal ER3 – Cost-effective and reliable energy system sustained through a combination of low impact buildings, site and neighborhood energy conservation and diverse sources of energy generation that collectively helps to minimize the region's carbon footprint.			
	ER3	Energy	
	ER3-1	Conservation Strategy. We require conservation as the first strategy to be employed to meet applicable energy-saving standards.	On-going.

Goal	Policy	Action	Action Status/Comments
	ER3-2	Green Development – Communities. We encourage the use of the LEED Neighborhood Development rating system, or similar mechanism, to guide the planning and development of all new communities.	On-going.
	ER3-3	Building and Site Design. We require new construction to incorporate energy-efficient building and site design strategies, which could include appropriate solar orientation, maximum use of natural daylight, passive solar, and natural ventilation.	On-going. The City has adopted the most current Uniform Building Code Title 24 requirements and incorporates energy-efficient and site design strategies in compliance with the Community Climate Action Plan implementation strategies.
	ER3-4	Green Development – Public Buildings. We require all new and substantially renovated City buildings in excess of 10,000 square feet to achieve a LEED Silver Certification standard, as determined by the U.S. Green Building Council.	On-going. New and renovated City Facilities are designed to incorporate site and building conservation measures.
	ER3-5	Fuel-Efficient and Alternative Energy Vehicles and Equipment. We should purchase and use vehicles and equipment that are fuel-efficient and meet or surpass state emissions requirements and/or use renewable sources of energy.	The City Fleet currently has 5 EV vehicles, 5 Hybrid vehicles and 105 CNG vehicles. We planning on adding 5 additional hybrid PD interceptors in fiscal year 23/24. The City currently has installed 56 EV charging stations located throughout City Facilities.
	ER3-6	Generation – Renewable Sources. We promote the use of renewable energy sources (e.g., solar, wind, biomass) in public and private sector development.	The City launched the "Smart Ontario" program committing the City services to become more sustainable through installing solar and battery backup on City facilities and increasing efficiencies in the area of HVAC and lighting. Grid alternative has installed 31 solar panel systems on single-family homes totaling approximately 330kw.
Goal ER4 – Improve indoor and outdoor air quality and reduced locally generated pollutant emissions.			
	ER4	Air Quality	
	ER4-1	Land Use. We reduce GHG and other local pollutant emissions through compact, mixed-use, and transit-oriented development and development that improves the regional jobs-housing balance.	On-going.
	ER4-2	Sensitive Land Uses. We prohibit the future siting of sensitive land uses within the distances defined by the California Air Resources Board for specific source categories without sufficient mitigation.	City staff project review process incorporates a pilot Healthy Development Checklist in support of Healthy Ontario objectives and the potential need to conduct a Health Risk Assessment.
	ER4-3	Greenhouse Gases (GHG) Emissions Reductions. We reduce GHG emissions in accordance with regional, state, and federal regulations.	The City is tracking to achieve the 2020 GHG reduction target. As part of the General Plan Update, the City updated the Community Climate Action Plan to address 2030 and 2050 Statewide Targets. The Plan was adopted in August 2022.

Goal	Policy	Action	Action Status/Comments
	ER4-4	Indoor Air Quality. We will comply with State Green Building Codes relative to indoor air quality.	On-going.
	ER4-5	Transportation. We promote mass transit and non-motorized mobility options (walking, biking) to reduce air pollutant emissions.	On-going.
	ER4-6	Particulate Matter. We support efforts to reduce particulate matter to meet State and Federal Clean Air Standards.	On-going.
	ER4-7	Other Agency Collaboration. We collaborate with other agencies within the South Coast Air Basin to improve regional air quality at the emission source.	On-going.
	ER4-8	Tree Planting. We protect healthy trees within the City and plant new trees to increase carbon sequestration and help the regional/local air quality.	On-going. The City is designated as a "Tree City." The City annually plants new trees and/or replaces dead, diseased or damaged trees to increase carbon sequestration and help with the regional and local air quality.
Goal ER5 – Protect high value habitat and farming and mineral resources extraction activities that are compatible with adjacent development.			
	ER5	Biological, Mineral and Agricultural Resources	
	ER5-1	Habitat Conservation Areas. We support the protection of biological resources through the establishment, restoration, and conservation of high-quality habitat areas.	On-going.
	ER5-2	Entitlement and Permitting Process. We comply with state and federal regulations regarding protected species.	On-going.
	ER5-3	Right to Farm. We support the right of existing farms to continue their operations within the New Model Colony.	The City allows existing agricultural uses to continue for as long as they wish to operate.
	ER5-4	The Transition of Farms. We protect both existing farms and sensitive uses around them as agricultural areas transition to urban uses.	On-going.
	ER5-5	Mining Operations. We prohibit future mining operations where the resource extraction activities are incompatible with existing or proposed adjacent land uses.	On-going.
SAFETY ELEMENT			
Goal S1 – Minimize risk of injury, loss of life, property damage and economic and social disruption caused by earthquake-induced or other geological hazards.			
	S1	Seismic & Geologic Hazards	
	S1-1	Implementation of Regulations and Standards. We require that all new habitable structures be designed in accordance with the most recent California Building Code adopted by the City, including provisions regarding lateral forces and grading.	On-going.

Goal	Policy	Action	Action Status/Comments
	S1-2	Entitlement and Permitting Process. We follow state guidelines and the California Building Code to determine when development proposals must conduct geotechnical and geological investigations.	On-going.
	S1-3	Continual Update of Technical Information. We maintain up-to-date California Geological Survey seismic hazard maps.	On-going.
	S1-4	Seismically Vulnerable Structures. We conform to state law regarding unreinforced masonry structures.	On-going.
Goal S2 – Minimize risk of injury, loss of life, property damage and economic and social disruption caused by flooding and inundation hazards.			
	S2	Flood Hazards	
	S2-1	Entitlement and Permitting Process. We follow State guidelines and building codes to determine when development proposals require hydrological studies prepared by a State-certified engineer to assess the impact that the new development will have on the flooding potential of existing development down-gradient.	On-going.
	S2-2	Flood Insurance. We will limit development in flood plains and participate in the National Flood Insurance Program.	On-going.
	S2-3	Facilities that Use Hazardous Materials. We comply with state and federal law and do not permit facilities using, storing, or otherwise involved with substantial quantities of onsite hazardous materials to be located in the 100-year flood zone unless all standards of elevation, floodproofing, and storage have been implemented to the satisfaction of the Building Department.	On-going.
	S2-4	Prohibited Land Uses. We prohibit the development of new essential and critical facilities in the 100-year floodplain.	On-going.
	S2-5	Storm Drain System. We maintain and improve the storm drain system to minimize flooding.	On-going.
	S2-6	Use of Flood Control Facilities. We encourage the joint use of flood control facilities as open space or other types of recreational facilities.	The City continues to support the Mill Creek Wetlands, a multi-jurisdictional regional watershed water quality management project via stormwater wetlands treatment.
Goal S3 – Reduce the risk of death, injury, property damage and economic loss due to fires, accidents and normal everyday occurrences through prompt and capable emergency response.			
	S3	Fire & Rescue Hazards	

Goal	Policy	Action	Action Status/Comments
	S3-1	Prevention Services. We proactively mitigate or reduce the negative effects of fire, hazardous materials release, and structural collapse by implementing the adopted Fire Code.	On-going.
	S3-2	Community Outreach. We provide education to local schools and community groups to promote personal and public safety.	Automated External Defibrillator (AED) classes, cardiopulmonary resuscitation (CPR) classes, Community Emergency Response Team (CERT) classes). The on-going program of the fire service career introduction program (Fire Explorers) are available and taught several times throughout the year.
	S3-3	Fire and Emergency Medical Services. We maintain sufficient fire stations, equipment, and staffing to respond effectively to emergencies.	On-going.
	S3-4	Special Team Services. We maintain effective special rescue services.	On-going.
	S3-5	Emergency Communication Services. We maintain a 9-1-1 emergency communication and dispatch center.	On-going.
	S3-6	Interagency Cooperation. In order to back up and supplement our capabilities to respond to emergencies, we participate in the California Fire Rescue and Mutual Aid Plan.	On-going.
	S3-7	Water Supply and System Redundancy. We monitor our water system to manage firefighting water supplies.	On-going.
	S3-8	Fire Prevention through Environmental Design. We require new development to incorporate fire prevention considerations in the design of streetscapes, sites, open spaces, and buildings. (Refer to Community Design Element).	On-going.
	S3-9	Resource Allocation. We analyze fire data to evaluate the effectiveness of our fire prevention and reduction strategies and allocate resources accordingly.	On-going.
Goal S4 – An environment where noise does not adversely affect the public's health, safety, and welfare.			
	S4	Noise	
	S4-1	Noise Mitigation. We utilize the City's Noise Ordinance, building codes, and subdivision and development code regulations to mitigate noise impacts.	On-going.
	S4-2	Coordination with Transportation Authorities. We collaborate with airport owners, FAA, Caltrans, SANBAG, SCAG, neighboring jurisdictions, and other transportation providers in the preparation and maintenance of and updates to	On-going.

Goal	Policy	Action	Action Status/Comments
		transportation-related plans to minimize noise impacts and provide appropriate mitigation measures.	
	S4-3	Airport Noise Mitigation. We aggressively pursue funding and utilize programs to reduce the effects of aircraft noise in impacted areas of our community.	The City previously managed the Part 150 (Quiet Home Program) initially approved by FAA in 1991. The Quiet Home Program focused on land acquisition and noise insulation of residential properties impacted by airport noise, but was terminated in September 2015 because of updated noise exposure maps (NEM) eligibility noise contours, which eliminated funding for the program. The City continues to support the OIAA to maintain the Noise Management Program for ONT.
	S4-4	Truck Traffic. We manage truck traffic to minimize noise impacts on sensitive land uses.	On-going.
	S4-5	Roadway Design. We design streets and highways to minimize noise impacts.	On-going.
	S4-6	Airport Noise Compatibility. We utilize information from Airport Land Use Compatibility Plans to prevent the construction of new noise-sensitive land uses within airport noise impact zones.	On-going. The City continues to implement the Ontario Airport Land Use Compatibility Plan.
Goal S5 – Reduce the risk of injury, property damage and economic loss resulting from windstorms and wind-related hazards.			
	S5	Wind-Related Hazards	
	S5-1	Backup Power in Critical Facilities. We require backup power to be maintained in critical facilities.	On-going. The City provides back-up power facilities to critical facilities and exploring opportunities to incorporate battery storage as feasible.
	S5-2	Dust Control Measures. We require the implementation of Best Management Practices for dust control at all excavation and grading projects.	On-going.
	S5-3	Grading in High Winds. We prohibit excavation and grading during strong wind conditions, as defined by the Building Code.	On-going.
Goal S6 – Reduce potential for hazardous materials exposure and contamination.			
	S6	Hazardous Materials & Waste	
	S6-1	Disclosure and Notification. We enforce disclosure laws that require all users, producers, and transporters of hazardous materials and wastes to clearly identify the materials that they store, use, or transport.	On-going.
	S6-2	Response to Hazardous Materials Releases. We respond to hazardous materials incidents and coordinate these services with other jurisdictions.	On-going.

Goal	Policy	Action	Action Status/Comments
	S6-3	Safer Alternatives. We minimize our use of hazardous materials by choosing non-toxic alternatives that do not pose a threat to the environment.	On-going.
	S6-4	Safe Storage and Maintenance Practices. We require that the users of hazardous materials be adequately prepared to prevent and mitigate hazardous materials releases.	On-going.
	S6-5	Location of Hazardous Material Facilities. We regulate facilities that will be involved in the production, use, storage, or disposal of hazardous materials, pursuant to federal, state, county, and local regulations so that impacts to the environment and sensitive land uses are mitigated.	On-going.
	S6-6	Location of Sensitive Uses. We prohibit new sensitive land uses from locating within airport Safety Zones and near existing sites that use, store, or generate large quantities of hazardous materials. (Refer to Land Use Element).	On-going.
	S6-7	Household Hazardous Waste. We support the proper disposal of household hazardous substances.	On-going. The City continues to operate the Household Hazardous Waste Facility for our residents to ensure proper disposal.
	S6-8	Mitigation and Remediation of Groundwater Contamination. We actively participate in local and regional efforts directed at both mitigating environmental exposure to contaminated groundwater and taking action to clean up contaminated groundwater once exposure occurs.	On-going.
	S6-9	Remediation of Methane. We require development to assess and mitigate the presence of methane, per regulatory standards and guidelines.	On-going.
Goal S7 – Neighborhoods and commercial and industrial districts that are kept safe through a multi-faceted approach of prevention, suppression, community involvement and a system of continuous monitoring.			
	S7	Law Enforcement	
	S7-1	Police Unit Response. We respond to calls requiring service in a timely manner.	On-going.
	S7-2	Community Engagement Team (C.E.T.). We support and maintain the mission of CET to identify and resolve community problems.	On-going. The Ontario Police Department has a Community Engagement Team. They partner with Community Improvement and Public Works to resolve community problems.
	S7-3	Prevention Services. We provide crime prevention programs targeted to youth, parents, seniors, businesses, and neighborhoods.	On-going. Youth: Every 15 mins, Drug Awareness, Drunk Driving Awareness, Fatal Vision, Teen Dating Violence Parents/Children: Bicycle Safety, Bullying Prevention, Child Abuse Awareness, Child Safety/Dangerous People, Finger Printing, Drug Use Prevention, Youth

Goal	Policy	Action	Action Status/Comments
			Academy; Seniors: Fraud Prevention, Elder Abuse Prevention; Businesses: Building Security Guidelines, Business Burglary Prevention, Internal Theft/White Collar Crimes, Retail Security Guidelines, Neighborhoods: Neighborhood Watch, Ontario Night Out.
	S7-4	Crime Prevention through Environmental Design (CPTED). We require new development to incorporate CPTED in the design of streetscapes, sites, open spaces, and buildings.	On-going. Continuously working with other City agencies to incorporate CPTED. We have a Police Representative who is embedded in the project review process. In addition, there are programs available through Crime Prevention.
	S7-5	Interdepartmental Coordination. We utilize all City departments to help reduce crime and promote public safety.	On-going. Collaboration with Community Life and Culture, Public Works, and Community Improvement.
	S7-6	Partnerships. We partner with other local, state, and federal law enforcement agencies and private security providers to enhance law enforcement service to Ontario.	On-going. Currently partnering with FBI, County Probation, County Crisis Team and Private security to enhance law enforcement and other services for city residents.
	S7-7	Resource Allocation. We analyze crime data to evaluate the effectiveness of crime prevention and reduction strategies and allocate resources accordingly.	On-going. Crime Analysis Unit provides information to attempt to predict crime. This allows for the police resources to be allocated in an attempt to reduce crime.
Goal S8 – Disaster resilient, prepared community through effective emergency/disaster preparedness, response, mitigation and recovery.			
	S8	Emergency Management	
	S8-1	State and Federal Mandates. We maintain emergency management programs that meet the requirements of the State of California Standardized Emergency Management System (SEMS) and the National Incident Management System (NIMS).	On-going. Continued compliance with SEMS and NIMS.
	S8-2	Emergency Management Plans. We maintain, update, and adopt the Emergency Operations Plan (EOP) and the Hazard Mitigation Plan (HMP).	The City updated the EOP in 2017 and commenced the update in 2021, while the HMP was updated in 2018 and is currently undergoing revisions to be completed in 2023.
	S8-3	Emergency/Disaster Training and Exercises. We conduct training and exercises to prepare for and evaluate emergency/disaster response and recovery procedures.	On-going training, including Active Shooter Training, Stop the Bleed, and CERT. Train and credential EOC responders through the West End Academy under the California Specialized Training Institute outreach program.
	S8-4	Interagency Collaboration. We partner with public and private organizations, such as participation in the California Mutual Aid Agreement, in order to enhance and complement our planning and response capabilities.	On-going. City staff has on-going coordination and collaboration with the San Bernardino County Operational Area, West End Emergency Response Commission, San Bernardino County Collaborative Organizations Active in Disaster.
	S8-5	Interdepartmental Coordination. We utilize all City departments to help support emergency/disaster mitigation, preparedness, response mitigation, and recovery.	On-going monthly coordination meetings with the Emergency Management Working Committee comprised of all city departments.

Goal	Policy	Action	Action Status/Comments
	S8-6	Community Outreach. We provide education to the community to promote personal, family, and community emergency preparedness.	On-going. City staff manages and coordinates the Community Emergency Response Team and youth program providing training and includes CERT Basic Training. Outreach through Leaders in Preparedness Academy, Continuity and Organizational Resilience in Emergencies (CORE), Summer Concerts in the Park, Ontario Night Out, Ontario Preparedness Month, Fire Open House and Annual Emergency Preparedness Expo.
PARKS & RECREATION ELEMENT			
Goal PR1 – A system of safe and accessible parks that meets the needs of the community.			
	PR1	Planning & Design	
	PR1-1	Access to Parks. We strive to provide a park and/or recreational facility within walking distance (¼ mile) of every residence.	On-going.
	PR1-2	Adjacency to Schools. We examine locating parks adjacent to school sites to promote joint-use opportunities.	On-going.
	PR1-3	Funding. We shall seek outside, one-time sources of funding for capital improvements and reserve ongoing City funds primarily for operations and maintenance.	On-going. The City continues to pursue funding in order to make capital improvements (such as trails, lighting, restroom improvements, new amenities, and outdoor fitness equipment) in several parks based on a community needs assessment and the Recreation & Parks Master Plan. Recently, the City received funding to help improve lighting at De Anza Park; new fitness equipment to be installed at Vineyard Park; and new outdoor fitness courts at John Galvin Park and Homer F. Briggs Park.
	PR1-4	Joint-use Opportunities. In areas where there is a need but no City recreational facility, we explore joint-use opportunities (e.g., school sites).	On-going. The Recreation & Parks Master Plan pinpoints schools that would help close service gaps throughout certain parts of the City and provide additional access to playgrounds, sports fields and courts, and walking paths for the general public.
	PR1-5	Acreage Standard. We strive to provide 5 acres of parkland (private and public) per 1,000 residents.	On-going.
	PR1-6	Private Parks. We expect the development to provide a minimum of 2 acres of developed private park space per 1,000 residents.	On-going.
	PR1-7	Special Needs/Universal Design. We attempt to provide recreational opportunities at parks for people of all ages and abilities.	City staff has completed the Great Park Concept Plan providing phased active/passive spaces and entertainment venues and leveraging opportunities for innovation in water conservation and environmental stewardship. Phase 1 of the Park improvements are in the design phase.

Goal	Policy	Action	Action Status/Comments
	PR1-8	Renovation. We examine renovating existing facilities prior to building replacement facilities.	On-going.
	PR1-9	Phased Development. We require parks to be built in new communities before a significant proportion of residents move in.	On-going.
	PR1-10	<i>Master Plans for Individual Park Facilities.</i> We require an individual park master plan for parks in excess of 10 acres.	On-going.
	PR1-11	<i>Environmental Function of Parks.</i> We require new parks to meet environmental management objectives.	On-going.
	PR1-12	Trails. We promote connections between parks and local trails, including those managed by other public agencies.	On-going.
	PR1-13	Equestrian Trails. We require the design, construction, and maintenance of equestrian trails in Rural Residential designated areas.	On-going.
	PR1-14	Multi-family Residential Developments. We require that new multi-family residential developments of five or more units provide recreational facilities or open space, in addition to paying adopted impact fees.	On-going.
	PR1-15	Trail Connectivity. We strengthen and improve the equestrian, bike, and multipurpose trail connections within the City and work to improve trail connections into adjacent jurisdictions.	On-going.
	PR1-16	Equestrian Master Plan. We use Homer Briggs Park as the primary focal point for the development of a Master Plan of Equestrian Trails in the Rural Residential area.	On-going.
Goal PR2 – A range of recreational programs provided by public, private and non-profit organizations that meet the needs of the community's varied interests, age groups and abilities.			
	PR2	Programming	
	PR2-1	Participation. We program park facilities to maximize utilization and participation while considering park size, location, and population served.	On-going. The City continues to increase community engagement through surveys and focus groups for programming needs. The Recreation & Community Services Department also has a strong group of teens and youth who actively participate in program planning for each facility. The Department has a mobile recreation program that visits four parks each week to provide recreation programming in areas of the communities that do not have a community center near them to provide a safe environment for children to play and explore outside, but also utilize this opportunity to gather feedback from the community on how to improve

Goal	Policy	Action	Action Status/Comments
			programming at each location. The Department also started an Active Seniors on the Go program hosted at each community center, where active older adults are encouraged to get active and socialize with staff. This gives the Department active feedback on what our active adults wish to see in each park and community center.
	PR2-2	Needs Assessment. We track the needs and priorities for recreational programming and look for ways to meet demand.	On-going.
	PR2-3	Community Involvement. We involve the local community in planning programs for neighborhood and community park facilities.	On-going. The City has hosted monthly community forums at our recreation centers to solicit feedback from the community on issues that matter in their neighborhoods. We also have a very active teen action committee (Advocates for a Healthy Life), and they advocated for a smoke-free park policy that City Council adopted. The Recreation & Community Services Department also connects with Promotoras in the community to help send out citywide messages and resources to our Spanish-speaking neighborhoods through our Zumba program, community gardens, and nonprofit local partners.
	PR2-4	Access to Programs. We provide a range of program opportunities for residents of all income levels.	On-going. The City provides numerous free classes daily to our community, including free Zum Up! Zumba classes, after school programs, mobile recreation programs, active senior programs, and a scholarship program to increase access to fee-based classes open to all ages.
	PR2-5	Partnerships. We partner with local and regional agencies, non-profit organizations, and the private sector to provide a comprehensive range of recreational programs.	On-going.
	PR2-6	Crime Deterrents. We promote and participate in recreational programming as part of our crime prevention effort.	On-going.

SOCIAL RESOURCES ELEMENT

Goal SR1 – A community where residents have access to information, services and goods that improve their health and well being.

	SR1	Health	
	SR1-1	Partnering for Healthcare. We work with healthcare providers, and local, regional, state, and federal agencies to attract and retain a diversity of affordable, quality healthcare and facilities for the entire community.	On-going. The Recreation & Community Services Department works closely with San Bernardino County Public Health to host numerous vaccination clinics in its facilities and partner on helping to distribution other health and wellness resources. The Department also participated in the County's Community Health Collaborative to network with local health providers on expanding resources to our community members.

Goal	Policy	Action	Action Status/Comments
	SR1-2	Nutrition Choices. We support the promotion of healthy nutritional food choices in the community.	On-going. The City partners with Huerta Del Valle Community Garden and Urban Farm to bring fresh, local organic produce to the community at affordable prices, including local community-supported agriculture (CSA program). We also partner with the Ontario-Montclair School District to provide free Summer meals to our community through our community centers and library and a free super program at Dorothy A. Quesada Community Center and De Anza Community & Teen Center during the school year. The City also partners with the Caramel Connections Foundation, which operates the Seeds of Joy Community Garden at Anthony Munoz Park. The Department also partners with Family Service Association to provide a free nutrition program daily (Monday – Friday) at the Ontario Senior Center for those ages 50 and up.
	SR1-3	Healthy Education. We promote health education, including disease prevention, mental health, nutrition, and physical fitness.	On-going. The City through our community engagement activities have community Promoters that promote all the health education resources available to the community through our community centers or through partner organizations.
	SR1-4	Physical Activity. We encourage activities and community design that improves the physical fitness of our community members.	On-going. In 2020 the City completed a citywide Active Transportation Master Plan to encourage walking and bike riding throughout the City. The City also implemented the Ontario on the Go program, which is a mobile recreation program to get youth back out into parks and promote physical activity and homework help. The Active Seniors on the Go program also promotes physical activity for active older adults at each community center and each community center promotes walking in the parks and living a healthy lifestyle. The Recreation & Community Services Department also hosts the annual 5K Reindeer Run & Rudolph's Dash to promote an active and healthy community by partnering with local school districts to promote the race. We also host an annual Tot Olympics for 3-5 year olds to promote an active lifestyle early on. The Department has also expanded its tot sports, youth sports, and adult sports programs to get community members active in parks and gymnasiums throughout the City.
Goal SR2 – A range of educational and training opportunities for residents and workers of all ages and abilities that improves their life choices and provides a skilled workforce for our businesses.			
	SR2	Education	

Goal	Policy	Action	Action Status/Comments
	SR2-1	Education Partners. We partner with educational institutions throughout the region in order to expand the range and quality of educational offerings available to the community.	On-going. Library: Provide students at Ontario high schools with 600 mental health Social Emotional Learning (SEL) Kits. Provide “No Limit” bags for Colony High School students experiencing homelessness, in foster care or in other sensitive situations. Kindergo partners with all elementary school districts in Ontario to provide library cards and classroom visits to kindergarten-aged students. Promise Scholars meets regular at Ovitt Family Community Library and staff do class visits for them. Lunch at the Library partners with OMSD to serve lunch during the summer to all children 0-18 years of age.
	SR2-2	Workforce Training. We work with industrial organizations, businesses, and educational institutions to create opportunities for workforce training.	On-going. City staff partnering with San Bernardino County Workforce Development located a satellite office Ontario Library to provide jobs and training resources directly to our community. Workforce Development offers quarterly programming in job searching, resume building, interview skills, etc. A Satellite office is located in Ovitt Family Community Library and is open Monday-Thursday, 10 am-9 pm, and Fridays, 10 am-6 pm.
	SR2-3	Joint-use Facilities. We partner with public and private educational institutions to jointly use facilities for both City and educational purposes	On-going. Ontario City Library Lewis Family Branch is a joint use with Colony High School.
	SR2-4	Access to Schools. We work with our local and regional partners to improve safety in and around schools and to improve access for all citizens of all ages and abilities to schools and community services such as afterschool and other programs.	On-going. The City annually partners with parents, students, schools, and our police department to celebrate National Walk to School Day to bring awareness and resources to safety around our schools. We have also secured several rounds of Caltrans Active Transportation funding to improve sidewalks, handicap ramps, and safety crossings near our schools.
	SR2-5	School Facilities. We plan and coordinate with the school districts for designing and locating school facilities to meet the City's goals, such as for health, walkability, and safety, and to minimize impacts to the existing neighborhood.	On-going.
Goal SR3 – A range of community and leisure programs and activities provided by public, private and non-profit organizations that meet the needs of the community's varied interests, age groups and abilities.			
	SR3	Community & Leisure Activities	
	SR3-1	Partnerships. We partner with local and regional agencies, non-profit organizations, and the private sector to provide a comprehensive range of community activities and events to citizens.	On-going.

Goal	Policy	Action	Action Status/Comments
	SR3-2	Needs Assessment. We promote information about leisure activities, classes, and special events and other services and activities to our community.	A Library Facility Needs Assessment and Master Plan was completed in 2021 to identify space and facilities needs and/or alternative service delivery options for the City and defining best approaches to address identified needs.
	SR3-3	Program Outreach. We promote information about leisure activities, classes, and special events and other services and activities in our community.	On-going. The City provides information on all City programming through our Ontario Living magazine, on social media, and through a Promotore Outreach program.
	SR3-4	Community Events. We plan and actively participate in regularly scheduled community events and seasonal or yearly citywide events.	On-going. The City annually celebrates our annual 5K Reindeer Run, Christmas on Euclid, and Concerts in the Park.
	SR3-5	Community Activities as Crime Deterrents. We promote and participate in community activities as part of our crime prevention efforts. (Refer to Safety Element S7-3).	On-going. The City annually celebrates National Night Out at all City Park facilities to bring community awareness to Crime Prevention efforts.
Goal SR4 – City libraries that connect community members of all ages and abilities to a broad range of programs, communication and informational resources.			
	SR4	Library	
	SR4-1	Community Needs. We identify and monitor community needs for library services, technology, and facilities, and tailor them to effectively meet those needs.	On-going. Through community outreach events the City has developed and continues to implemented the Lightspeed Makerspaces at Ovitt Family Community Library and Lewis Family Branch, Implementation of JVS So Cal veterans partnership at Ovitt Family Community Library, creation of Workforce office at Ovitt to meet the needs of job seekers on West end of San Bernardino County, hiring of consultant services to further identify community needs by hosting of focus groups and performed a Community Library Needs Assessment through six community conversations and one survey to determine the future needs of our community, such as new library locations, satellite offices, and potential bookmobile locations. Creation of Adult Literacy program to assist adults in developing literacy and reading skills. Creation of Ontario Learns, educational programs that assist adults in developing financial, technology, and home skills. Creation of Little Learns Big Futures to assist parents in developing early literacy skills for toddlers and preschooler-aged children. Teen advisory groups at both locations to give local teenagers.
	SR4-2	Interagency Coordination. We leverage relationships with outside agencies, educational institutions, and neighboring jurisdictions to share the library resources to the benefit of Ontario residents.	On-going. Partnership with four school districts and adult schools to share library resources, KinderGo program which invites other City employees to take part in library programming at school sites, in addition to partnerships with community organizations to provide

Goal	Policy	Action	Action Status/Comments
			library programming and access to resources. Active member in the Inland Empire Veterans Employment Committee.
	SR4-3	Library Outreach. We outreach to the community to increase the patronage of the library.	On-going. Ontario On the Go mobile library and recreation vehicle. Regular outreach to school/campus events, weekly attendance at Concerts in Town Square, regular presentations and outreach to local organizations and businesses, weekly outreach to Senior Center and other homebound locations, portable 3D printers and other maker space equipment taken to community events, programming held offsite at Huerta del Valle, early literacy program called Little Learners, Big Futures, and other programming as outreach to introduce families to libraries, Volunteer Program for those 13 and up.
	SR4-4	Coordination with other Community Services. We coordinate library programs with other recreational and community programs and facilities.	On-going. Annual participation in Agency-wide efforts: Dia de Los Muertos program at the Museum, Festival of the Arts staffing and volunteer coordination, Library tours for Recreation Tiny Tots program, implementation of Ontario on the Go mobile vehicle in collaboration with Recreation/Museum. Attendance at Citywide programming: 4th of July parade participation, Ontario's Night Out, first annual Ontario Neighborhood Fair event in February at De Anza Park. Quarterly programming meeting to support museum exhibits with displays, Programming in support of summer meal sites at Westwind and DeAnza, use of Senior Center facility for summer performers, Huerta del Valle summer programming.
	SR4-5	Focal Points of the Community. We design and program Ontario's libraries as focal points of community engagement, including public outreach and community engagement.	On-going. Several large and ongoing programs that create positive engagement with our community: Summer at Ontario City Library, Lunch at the Library, ongoing Library Master Plan approach, KinderFair, storytimes, Ontario Reads, Ontario Learns, Adult Literacy, Lightspeed makerspaces at both library locations and free Wi-Fi at both locations.
	SR4-6	Robert E. Ellingwood Model Colony History Room. We work with the Museum of History and Art, Ontario in order to collect, preserve and display artifacts and images from Ontario's heritage and connect the City's past to the present through the History Room.	On-going.
Goal SR5 – Local heritage, entertainment and cultural experiences that enrich the lives of Ontario's residents, workers, and visitors and serve to attract residents and businesses to the City.			
	SR5	Entertainment & Culture	

Goal	Policy	Action	Action Status/Comments
	SR5-1	Provisions of Entertainment and Culture. We support a range of entertainment and cultural experiences, such as public art, exhibitions, and performances.	On-going. Community Life & Culture Agency supports a range of arts experiences from the Arts Festival, Summer Concert Series, and Museum Exhibits.
	SR5-2	Local Heritage Education. We partner with educational providers to promote culture and heritage. (Refer to Historic Preservation Section of Community Design Element).	On-going. Community Life & Culture Agency maintains collections related to local history and partners with Heritage organizations to promote Culture & Heritage.
	SR5-3	Public Art. We encourage public art in buildings, parks, open spaces, and other public and private spaces.	On-going.
	SR5-4	Private-Public Sector Events. We partner with private and non-profit sectors to provide and promote participation in cultural activities, including fairs, festivals, and other events geared to neighborhoods, the City as a whole, and the region.	On-going. Community Life & Culture Agency coordinates the Arts & Culture working group, which consists of local nonprofits conducting arts programming and activities within the City.
	SR5-5	Promotion of Ontario Artists and Musicians. We promote awareness of entertainment and culture produced in Ontario.	On-going. Community Life and Culture Agency hosts the annual Arts & Culture Festival, highlighting work from local artists.

EXHIBIT A
2022 GENERAL PLAN IMPLEMENTATION PROGRAM TABLE

ATTACHMENT 1
AMENDMENTS TO THE GENERAL PLAN IN 2022

Amendments to the General Plan in 2022

File No. PGPA21-004

- A Resolution Of The City Council Of The City Of Ontario, California, Approving File No. PGPA21-004, A General Plan Amendment Updating The Housing Element Of The Policy Plan (Attachment A), and An Amendment To The Land Use Element Of The Policy Plan, Revising Exhibit LU-01, Land Use Plan, Establishing An Affordable Housing Overlay.

(See map on page 40 – Proposed AH Overlay)

Council Approval Date 3/1/2/22

The map displays the City of Chino and its surrounding areas. Key features include:

- Major Highways:** I-10, I-15, and SR-60.
- Surrounding Cities:** City of Upland, City of Montclair, City of Rancho Cucamonga, City of Fontana, City of Jurupa Valley, City of Eastvale, and City of Chino Hills.
- City of Chino:** The central focus of the map, showing a grid of streets and a large area outlined in red.
- Proposed Station Area:** A large rectangular area outlined in red, located south of the I-10 corridor and east of the SR-60 corridor. This area contains a detailed street grid and is labeled "CHINO VALLEY STATION".
- Other Labels:** "County of San Bernardino" and "County of Riverside" are also visible.

Date: 11/12/2021

Feet	Number of people in room
0	25
2,500	25
5,000	15
10,000	25

Amendments to the General Plan in 2022

File No. PGPA20-002

- A Resolution of the City Council of the City of Ontario, California, certifying the program supplemental environmental impact report (state clearinghouse no. 2021070364) for the Ontario Plan 2050 technical update for file no. PGPA20-002 part-a and adopt environmental findings pursuant to the California Environmental Quality Act, a statement of overriding considerations and a mitigation monitoring and reporting program.
- A Resolution of the City Council of the City of Ontario, California, approve the Ontario Plan ("TOP") Governance Manual, a Policy component of the Ontario Plan supporting a Business Plan approach to governance and approving TOP Vision. Related File no. PGPA20-002 – part b
- A Resolution of the City Council of The City Of Ontario, California, to approve an amendment to the Ontario Policy Plan (General Plan), File No. PGPA20-002

(See map on page 42 – Areas of Change)

Council Approval Date 8/16/22

EXECUTIVE SUMMARY

Figure ES-6
Areas of Change

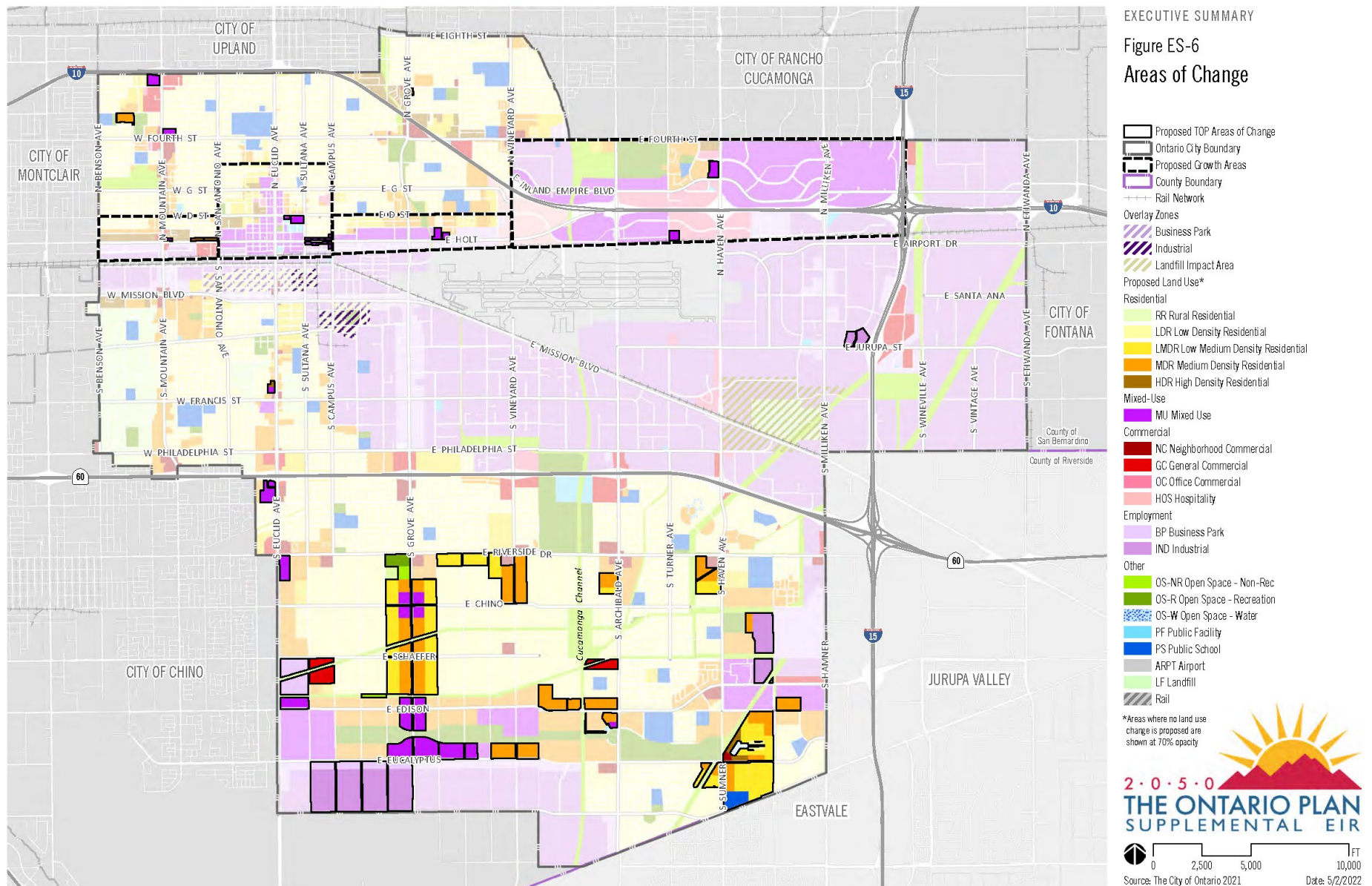


EXHIBIT B

2022 HOUSING ELEMENT ANNUAL PROGRESS REPORT

Please Start Here

General Information	
Jurisdiction Name	Ontario
Reporting Calendar Year	2022
Contact Information	
First Name	Rudy
Last Name	Zeledon
Title	Planning Director
Email	Rzeledon@ontarioca.gov
Phone	9093952422
Mailing Address	
Street Address	303 E B ST
City	Ontario
Zipcode	91764

Optional: Click here to import last year's data. This is best used when the workbook is new and empty. You will be prompted to pick an old workbook to import from. Project and program data will be copied exactly how it was entered in last year's form and must be updated. If a project is no longer has any reportable activity, you may delete the project by selecting a cell in the row and typing ctrl + d.

[Click here to download APR Instructions](#)

11_16_22

Jurisdiction	Ontario			ANNUAL ELEMENT PROGRESS REPORT							Note: "+" indicates an optional field											
Reporting Year	2022	(Jan. 1 - Dec. 31)		Housing Element Implementation							Cells in grey contain auto-calculation formulas											
Planning Period	6th Cycle	10/15/2021 - 10/15/2029																				
A 1 Prior	A 1 Current	A 1 Address	A 1 Name	A 1 ID	A 2 Unit	A 3 Tenure	A 4 Date	A 5 vLow Deed	A 5 vLow None	A 5 Low Deed	A 5 LowNone	A 5 Mod Deed	A 5 Mod None	A 5 Above	A 6 Total	A 7 Total	A 8 Total	A 9 Stream				A 10 Notes
Table A																						
								Housing Development Applications Submitted								Total Approved Units by Project	Total Disapproved Units by Project	Streamlining	Density Bonus Law Applications		Application Status	Notes
Project Identifier					Unit Types		Date Application Submitted	Proposed Units - Affordability by Household Incomes								7	8	9	10		11	12
1					2	3	4	5							6	7	8	9	10		11	12
Prior APN ⁺	Current APN	Street Address	Project Name ⁺	Local Jurisdiction Tracking ID ⁺	Unit Category (SFA,SFD,2 to 4,5+,ADU,MH)	Tenure R=Renter O=Owner	Date Application Submitted+ (see instructions)	Very Low-Income Deed Restricted	Very Low-Income Non Deed Restricted	Low-Income Deed Restricted	Low-Income Non Deed Restricted	Moderate-Income Deed Restricted	Moderate-Income Non Deed Restricted	Above Moderate-Income	Total PROPOSED Units by Project	Total APPROVED Units by project	Total DISAPPROVED Units by Project	Was APPLICATION SUBMITTED Pursuant to GC 65913.4(b)? (SB 35 Streamlining)	Ddi the housing development application seek incentives or concessions pursuant to Government Code section 65915?	Were incentives or concessions requested pursuant to Government Code section 65915 approved?	Please indicate the status of the application.	Notes ⁺
Summary Row: Start Data Entry Below								0	0	0	198	0	0	2944	3142	0	0					
	218-211-01	Address to be assigned at Building Permit		PDEV22-053	SFD	O	11/8/2022							298	298			No	No	No	Pending	
	218-211-21 218-211-15	Address to be assigned at Building Permit		PDEV22-048	5+	R	10/19/2022							456	456			No	No	No	Pending	
	210-531-20 210-531-16	Address to be assigned at Building Permit		PDEV22-047	SFA	O	10/17/2022							84	84			No	No	No	Pending	
	1008-513-16 1008-522-01 1008-522-02 1008-522-03	Address to be assigned at Building Permit		PDEV22-042	5+	R	9/8/2022							357	357			No	No	No	Pending	
	0218-131-34	Address to be assigned at Building Permit		PDEV22-038	SFD	O	8/15/2022							36	36			No	No	No	Pending	
	0218-231-09 0218-231-10 0218-231-11 0218-231-13 0218-231-15 0218-231-16 0218-231-31 0218-231-32 0218-231-34 0218-231-38	Address to be assigned at Building Permit		PDEV22-037	SFD	O	8/3/2022							508	508			No	No	No	Pending	
	0108-551-01 0108-551-34 0108-551-35	Address to be assigned at Building Permit		PDEV22-033	5+	R	6/23/2022							63	63			No	No	No	Pending	
	0218-921-19 0218-921-22	Address to be assigned at Building Permit		PDEV22-032	SFA	O	6/21/2022							64	64			No	No	No	Pending	
	1048-363-04 1048-363-05 1048-363-02 1048-363-03	Address to be assigned at Building Permit		PDEV22-031	SFA	R	6/8/2022							109	109			No	No	No	Approved	
	1051-271-67 1051-271-06 1051-271-66	Address to be assigned at Building Permit		PDEV22-027	5+	R	5/25/2022							346	346			No	No	No	Pending	
	1050-591-01 1050-591-02	Address to be assigned at Building Permit		PDEV22-026	SFA	O	5/19/2022							70	70			No	No	No	Pending	
	1048-572-06	Address to be assigned at Building Permit		PDEV22-024	2 to 4	O	4/20/2022							3	3			No	No	No	Pending	
	1048-354-012 1048-354-013	Address to be assigned at Building Permit		PDEV22-023	SFA	O	4/15/2022							26	26			No	No	No	Pending	
	0210-205-01 0210-204-38 0210-204-39	Address to be assigned at Building Permit		PDEV22-014	5+	R	3/28/2022				198			496	694			No	No	No	Approved	
	1047-433-16	Address to be assigned at Building Permit		PDEV22-007	SFA	O	1/24/2022							28	28			No	No	No	Pending	

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ANNUAL ELEMENT PROGRESS REPORT
Housing Element Implementation

Notes: "n" indicates an optional field
Cells in grey contain auto-calculation formulas

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ANNUAL ELEMENT PROGRESS REPORT
Housing Element Implementation

Note: "r" indicates an optional field
Cells in grey contain auto-calculation formulas

130

[illegible]

Worksheet	Period
Planning Year	2022
Reporting Period	2022-2023

ANNUAL ELEMENT PROGRESS REPORT
Housing Element Implementation

Note: "Y" indicates an updated item.
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County		ANNUAL ELEMENT PROGRESS REPORT										Page 17 of 18																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																								
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Jurisdiction	Ontario	
Reporting Year	2022	(Jan. 1 - Dec. 31)
Planning Period	6th Cycle	10/15/2021 - 10/15/2029

ANNUAL ELEMENT PROGRESS REPORT Housing Element Implementation

This table is auto-populated once you enter your jurisdiction name and current year data. Past year information comes from previous APRs.
Please contact HCD if your data is different than the material supplied here

Table B														
Regional Housing Needs Allocation Progress														
Permitted Units Issued by Affordability														
		1		2									3	4
Income Level		RHNA Allocation by Income Level	Projection Period - 06/30/2021-10/14/2021	2021	2022	2023	2024	2025	2026	2027	2028	2029	Total Units to Date (all years)	Total Remaining RHNA by Income Level
Very Low	Deed Restricted	5,640	-	-	-	-	-	-	-	-	-	-	-	5,640
	Non-Deed Restricted		-	-	-	-	-	-	-	-	-	-	-	
Low	Deed Restricted	3,286	-	-	-	-	-	-	-	-	-	-	-	3,286
	Non-Deed Restricted		-	-	-	-	-	-	-	-	-	-	-	
Moderate	Deed Restricted	3,329	-	-	-	-	-	-	-	-	-	-	-	3,329
	Non-Deed Restricted		-	-	-	-	-	-	-	-	-	-	-	
Above Moderate		8,599	347	183	1,176	-	-	-	-	-	-	-	1,706	6,893
Total RHNA		20,854												
Total Units			347	183	1,176	-	-	-	-	-	-	-	1,706	19,148
Progress toward extremely low-income housing need, as determined pursuant to Government Code 65583(a)(1).														
		5 Extremely low-income Need		2021	2022	2023	2024	2025	2026	2027	2028	2029	6 Total Units to Date	7 Total Units Remaining
Extremely Low-Income Units*		2,820		-	-	-	-	-	-	-	-	-	-	2,820

*Extremely low-income housing need determined pursuant to Government Code 65583(a)(1). Value in Section 5 is default value, assumed to be half of the very low-income RHNA. May be overwritten.

Note: units serving extremely low-income households are included in the very low-income RHNA progress and must be reported as very low-income units in section 7 of Table A2. They must also be reported in the extremely low-income category (section 13) in Table A2 to be counted as progress toward meeting the extremely low-income housing need determined pursuant to Government Code 65583(a)(1).

Please note: For the last year of the 5th cycle, Table B will only include units that were permitted during the portion of the year that was in the 5th cycle. For the first year of the 6th cycle, Table B will only include units that were permitted since the start of the planning period. Projection Period units are in a separate column.

Please note: The APR form can only display data for one planning period. To view progress for a different planning period, you may login to HCD's online APR system, or contact HCD staff at apr@hcd.ca.gov.

ANNUAL ELEMENT PROGRESS REPORT

Housing Element Implementation

Jurisdiction	Ontario		
Reporting Year	2022	(Jan. 1 - Dec. 31)	
<i>D. 1 Name</i>	<i>D. 2 Objective</i>	<i>D. 3 Time</i>	<i>D. 4 Status</i>
Table D			
Program Implementation Status pursuant to GC Section 65583			
Housing Programs Progress Report			
1	2	3	4
Name of Program	Objective	Timeframe in H.E	Status of Program Implementation
1. Code Enforcement	Continue Code Enforcement using a progressive approach of voluntary compliance, citations, and court action, if needed. Continue to apply for funding.	Ongoing, inspect properties annually	Community Improvement opened 1,830 cases, conducted 3,818 inspections and closed 1,347 cases in 2022. Of the 1,830 cases opened in 2022, 693 were proactive in nature. The Rental Inspection Program conducted 5,427 inspections and abated violations in 268 housing units in 2022.
2. Quiet Home	Completed	Completed	Since the program began in 1994, 1,599 units have been insulated and 256 properties were acquired. The Program has sold 30 parcels for future airport compatible development. Program was terminated in September 2015 due to updated NEM eligibility noise contour which eliminated funding for the program.
3. Historic Preservation	Continue to Implement Program	Ongoing	City staff continues to implement the Historic Preservation program, including: 6 properties on the Ontario Register were reviewed for historic significance, 5 were removed, and 1 received a Tier Determination and Local Landmark designation. One Mills Act Contract (preservation agreement) was approved, 5 Certificates of Appropriateness were approved, and staff completed 272 design reviews for historic properties. Completion of community outreach activities including: Model Colony Awards program and the Historic Plaque program.
4. Housing Rehabilitation Loan and Grants	Continue to Implement Program, as funding is available.	Ongoing	The Community Improvement Code Abatement Loan Program has assisted one (1) home owner rehabilitate their property since its inception in 2020. The City's largest housing rehabilitation program, the CARES Program continues to remain on hold. Funding for this program had been provided through the Ontario Redevelopment Agency's Low and Moderate-Income Housing Fund (LMIHF). To date, no replacement funding has been identified and secured. Using Community Development Block Grant funds, the City designed the Conservation Home Improvement Loan Program in the beginning of 2020. During 2022, no clients were assisted through this program.
5. CARES	Continue program implementation, as funding is available.	Ongoing	As stated earlier, this program was funded with LMIHF. At this time, the program is on hold and no activity took place during 2022.
6. Neighborhood Plans	Designate focus neighborhoods, outreach plan and process, and initiate survey efforts. Evaluate the potential of creating neighborhood improvement plans.	Ongoing	The City continues to move forward with the Transformative Climate Communities (TCC). The TCC Community Engagement Outreach Plan provides project specific outreach and educational events. In 2022, over 3000 people were invited to virtual engagements from topics including solar installation, bus pass distributions, and workforce development services.
7. Neighborhood Stabilization	Designate focus neighborhoods, outreach plan and process, and initiate survey efforts. Evaluate the potential of creating neighborhood improvement plans.	Ongoing	During 2019, the City Council approved the Neighborhood Preservation Strategy Plan, which designated four focus neighborhoods (Downtown, Nocta, Mission-Mountain, and Fourth-Grove). During 2022, the Neighborhood Action Team resumed meeting and conducted neighborhood clean up events in conjunction with the Integrated Waste department.
8. Community Oriented Policing	Continue implementation of COPs Program; coordinate marketing efforts with the new Quadrennial Inspection Program.	Ongoing	The Community Engagement Team (CET) takes a pro-active approach by partnering with building and property owners to prevent, deter, and solve crimes. Additionally during inspections, onsite improvements are identified under the concept of Crime Prevention Through Environmental Design (CPTED). In 2022, no Crime Free Multi-Housing classes were hosted by the Ontario Police Department. These classes normally provide property owners/managers the tools to take a proactive approach on crime prevention. A total of 13 properties are enrolled in the Crime Free Multi-Housing Program. A total of 16 properties are enrolled in the Trespassing Enforcement Program and 427 individuals were served with forbidden trespass forms. The Community Engagement Team prepared 3 comprehensive CPTED reports for businesses in the city. These reports outlined positive aspects of the businesses, challenges, and recommendations for improvement.

9. Downtown Plan	Downtown planning to facilitate new mixed-use and residential development; continue to acquire property and assemble sites to facilitate new housing.	Ongoing	The objective of the downtown planning effort is to facilitate new mixed-use and residential development and continue to acquire property and assemble sites to facilitate new housing. To facilitate new development and establish new businesses within the downtown area the HEART (Historic Euclid Avenue Revitalization Team) Initiative was established in 2015. HEART leverages resources, services and activities to enhance the downtown experience. Through improved transit and placemaking efforts that integrate arts and culture, the HEART Initiative is creating an environment that attracts new housing, improves existing housing, and encourages a mix of uses and activities. The 153-unit mixed use development at the corner of Euclid and C Street will begin construction in 2023. The Downtown Parking Structure has been completed and includes 411 parking spaces and 37 charging stations. And finally, the Downtown Plan area is included in a \$35 million Transformative Climate Communities Grant awarded to the City. The TCC program includes affordable housing project of 101 units completed, active transportation improvements - in design phase, mobility hub, urban greening - completed with 250 trees planted, carbon farm, solar photovoltaic both for Multi- and Single family -40 instalations completed, and transit improvements.
10. Mountain and Euclid Corridors	Re-designate corridors for medium- and high-density residential uses and develop a lot consolidation ordinance to facilitate the assemblage of lots into larger parcels.	Completed	All sites on the Housing Element Available Land Inventory along these corridors have been rezoned to medium density residential, high density residential, or mixed use designations consistent with The Ontario Plan (which includes the General Plan).
11. Holt Blvd.	Re-designate as High Density and Mixed Use and develop a lot consolidation ordinance to assemble parcels.	Completed	All sites on the Housing Element Available Land Inventory along the Holt Boulevard corridor have been rezoned to accommodate higher densities.
12. New Model Colony	Continue to review, approve, and implement plans to develop the New Model Colony.	Ongoing	City staff continues to review and process applications for development in the Ontario Ranch. Permits were issued for 1,120 units (1058 SFR & 62 MFR) within the NMC in 2022.
13. Downtown Core Catalyst Project	Continue to implement the programs identified in the Downtown Core Catalyst Project as funding is available.	Completed	The Catalyst program was completed on June 30, 2017. There was no activity on this program during 2022.
14. Design Review	Continue to implement design review process.	Ongoing	City staff continues to implement design review.
15. Green Building	Promote green building practices in the private sector and explore point-of-sale energy retrofits for residences. Renewable energy incentive and energy efficiency programs. Develop a citywide 20-year energy plan. Support pilot development project as a net-zero-energy community and formulate solar site orientation guideline.	Ongoing	The City updated the Community Climate Action Plan to address 2030 and 2050 reduction targets. As part of the inventory, the City did meet the initial target set of 30% below Year 2020. The City also implemented the SMART Ontario Plan/App identifying City projects implemented from solar instalations to streetlight LED replacements.
16. Land Monitoring Program to Meet the RHNA	Ensure there is sufficient supply of multi-family zoned land to meet the housing needs identified in the Regional Housing Needs Allocation.	Ongoing	City staff monitors entitlement applications to ensure that the Available Land Inventory is maintained and verifies that development of identified sites complies with the minimum density indicated in the Available Land Inventory or identifies alternate sites to meet the City's RHNA needs. Safeguards have been incorporated into the City's Discretionary Permit Application which includes an affidavit regarding compliance with the Available Land Inventory.
17. Incentives	Offer financial and regulatory incentives for residential projects that meet City housing and affordable housing goals.	Ongoing	The City continues to offer financial incentives for affordable housing projects where feasible and as funding is available. Housing incentives have also been included in the comprehensive Development Code update which was adopted in 2016 which continues to be implemented in 2022.
18. Land Acquisition	Continue to approve financial incentives for residential projects that meet City housing and affordable housing goals.	Ongoing	City staff will implement programs as funds become available.
19. Planned Unit Development (PUD)	Continue to utilize the PUD to create tailored development standards to facilitate new housing.	Ongoing	The PUD continues to be a viable tool to implement new multi-family housing.
20. Mixed-Use and High-Density Residential Zone and Standards	Develop new mixed-use and high-density residential development zone and standards to implement the General Plan. Allow residential uses by right in both zones.	Ongoing	The City continues its efforts in processing Zone Changes to bring alignment with the adopted General Plan. In 2022, no additional parcels were rezoned to High Density Residential or Mixed Use zones.
21. Public Housing	Continue to assist up to 600 households under the public housing program and seek additional vouchers as available.	Ongoing	Public housing programs in Ontario are administered through the Housing Authority of the County of San Bernardino (HACSB). During 2022, the HACSB managed approximately 730 Housing Choice Vouchers within Ontario.
22. Homeownership	Implement down payment assistance programs Citywide and for the Town Square project.	Ongoing	The CalHome Mortgage Assistance program ended on April 5, 2017. City staff continues tracking the use of loan funds paid off in a reuse account for use on eligible projects.

23. Preservation of At-Risk Housing	Monitor the status of at-risk projects and, if they are at imminent risk of conversion, provide technical assistance and/or financial assistance to preserve the properties as deemed feasible.	Ongoing	There are a total of 2,010 assisted, multi-family rental units in the City. During calendar year 2022, 12 very low-income units and 13 low-income units converted to market rate. An additional 157 units are at-risk of conversion within the next five years. To address the preservation of public housing for very low- and low-income persons, the City of Ontario maintains contact with owners of at-risk units as the use restriction expiration date approaches to communicate with the owner the importance of the units to the supply of affordable housing, as well as its desire to preserve the units as affordable. The City will make every effort in using local incentives that can be offered to property owners to preserve any at risk units.
24. Jack Galvin Accord	Continue to implement the Jack Galvin Accord and monitor the effectiveness of the accord.	Ongoing	City staff administered the Accord that covers 1,697 mobile home units located in 10 mobile home parks throughout Ontario. City staff distributed the annual rent adjustments allowed as part of the Accord and designed to limit rental increases within the participating mobile home parks. The Accord was approved for a 5-year extension on November 15, 2019 with an expiration date of January 5, 2025.
25. Fair Housing	Continue to contract with fair housing providers.	Ongoing	The City of Ontario has worked in conjunction with the Inland Fair Housing and Mediation Board to affirmatively further fair housing opportunities in this community. The Inland Fair Housing and Mediation Board "actively supports and promotes freedom of residence through education, advocacy and litigation to the end that all persons have the opportunity to secure the housing they desire and can afford, without regard to their race, color, religion, gender, sexual orientation, national origin, familial status, marital status, disability, ancestry, age, source of income or other characteristics protected by law."
26. Homeless Continuum of Care	Continue to fund Mercy House to implement the Continuum of Care program for homeless residents and other programs as funding is available.	Ongoing	During 2022, the following achievements were made under the City's Continuum of Care: operation of the Ontario Access, providing basic needs to 820 unduplicated individuals, as well as eligibility screening for City-managed HOME TBRA rental assistance Street outreach 40 hours per week Assisi House transitional housing served 76 households with 12 exits to permanent housing. Emergency motel voucher program and extreme weather motel voucher program using City general funds, CDBG, and ESG-CV funding Expansion of the City's Continuum of Care. Under the direction of the Continuum of Care Manager position, which was created in 2020, the City hired a Continuum of Care Social Worker in 2022. Two additional social workers and a management analyst are in process for hiring in early 2023 to deepen the City's services to stabilize residents in permanent housing and prevent homelessness. HOME TBRA – Provide tenant based rental assistance to 39 households; Project Gateway – Assist 12 chronically homeless individuals with disabilities and their families secure permanent housing with wrap around services through HUD's Shelter Plus Care Program; Permanent Housing Units – Operate 76 permanent housing units in cooperation with the Ontario Housing Authority, Mercy House, and Mercy House CHDO. Units assist in providing priority occupancy to participants in the CoC Project Gateway; an Partner with local school district to identify homeless families and assist them with rental subsidies through the HOME TBRA Program.
27. Senior Housing	Continue to provide a full range of housing support services.	Ongoing	During calendar year 2022, the City continued to monitor 762 units of affordable senior housing.
28. Housing for People with Disabilities	Continue to assist with the development of housing for persons with disabilities, including those with developmental disabilities and update the definition of family to comply with State law.	Ongoing	The City enforces state and federal accessibility laws to facilitate the improvement of housing for disabled people and encourages reasonable accessibility accommodations. In addition, the comprehensive Development Code update, which went into effect in 2016, incorporates reasonable accommodation provisions and redefined "family" to comply with State law.
29. Family Housing	Continue program implementation.	Ongoing	The City continued to monitor 989 units of affordable family housing during calendar year 2022. The City entered into a DDA for a new affordable housing development during 2022 that will construct 50 units as part Emporia Place Phase II and has entered into an Exclusive Negotiations Agreement for an additional 177 units of affordable housing.

30. Extremely Low-Income Households	Work with non-profits and/or for-profit developers to build housing for ELI households through supporting grants and funding applications. Offer fee reductions and land write downs for new affordable housing for low-income, very low-income, and ELI households.	Annually	During calendar year 2022, the following services were provided to Extremely Low-Income households: Assisted housing units – 49 housing units restricted to extremely low-income occupancy; Project Gateway – 12 units occupied by extremely low-income households; HOME Tenant Based Rental Assistance (TBRA) – 39 households assisted; CoC Permanent Housing (excluding Project Gateway and HOME TBRA) – 2 households assisted; Assisi House and Aftercare Services program – 2 persons (unduplicated); Mercy House Center Ontario – 819 persons (unduplicated); Services for Battered Women and Children – 12 persons (unduplicated); SOVA Food Security Center – 308 persons (unduplicated); Fair Housing services – 38 households (unduplicated); Landlord-Tenant Mediation services – 356 households (unduplicated); Senior Services – 2 persons (unduplicated);and Child Care Subsidies – 7 persons (unduplicated).
31. Special Needs Housing	Collaborate with affordable housing developers and secure funding, if feasible, to assist with the development of special needs housing projects.	Annually	In conjunction with the Ontario Housing Authority, the Housing Authority of the County of San Bernardino, County of San Bernardino Department of Behavioral Health, and Mercy House Living Centers, 13 Shelter Plus Care project based vouchers were available within Ontario for chronically homeless with disabilities and their families. During 2022, the City in conjunction with Mercy House Living Centers, implemented the HOME Tenant Based Rental Assistance to provide rental assistance with security deposits and utility deposits to chronically homeless and homeless households. Additionally, 39 homeless households were assisted with permanent housing.

Jurisdiction	Ontario	
Reporting Period	2022	(Jan. 1 - Dec. 31)
Planning Period	6th Cycle	10/15/2021 - 10/15/2029

ANNUAL ELEMENT PROGRESS REPORT

Housing Element Implementation

(CCR Title 25 §6202)

Note: "+" indicates an optional field

Cells in grey contain auto-calculation formulas

Table E									
Commercial Development Bonus Approved pursuant to GC Section 65915.7									
Project Identifier				Units Constructed as Part of Agreement				Description of Commercial Development Bonus	Commercial Development Bonus Date Approved
1				2				3	4
APN	Street Address	Project Name ⁺	Local Jurisdiction Tracking ID ⁺	Very Low Income	Low Income	Moderate Income	Above Moderate Income	Description of Commercial Development Bonus	Commercial Development Bonus Date Approved
Summary Row: Start Data Entry Below									

Jurisdiction	Ontario	
Reporting Period	2022	(Jan. 1 - Dec. 31)
Planning Period	6th Cycle	10/15/2021 - 10/15/2029

ANNUAL ELEMENT PROGRESS REPORT

Housing Element Implementation

Note: "+" indicates an optional field

Cells in grey contain auto-calculation formulas

Table F									
Units Rehabilitated, Preserved and Acquired for Alternative Adequate Sites pursuant to Government Code section 65583.1(c)									
Please note this table is optional: The jurisdiction can use this table to report units that have been substantially rehabilitated, converted from non-affordable to affordable by acquisition, and preserved, including mobilehome park preservation, consistent with the standards set forth in Government Code section 65583.1, subdivision (c). Please note, motel, hotel, hostel rooms or other structures that are converted from non-residential to residential units pursuant to Government Code section 65583.1(c)(1)(D) are considered net-new housing units and must be reported in Table A2 and not reported in Table F.									
Activity Type	Units that Do Not Count Towards RHNA ⁺ Listed for Informational Purposes Only				Units that Count Towards RHNA ⁺ Note - Because the statutory requirements severely limit what can be counted, please contact HCD to receive the password that will enable you to populate these fields.				The description should adequately document how each unit complies with subsection (c) of Government Code Section 65583.1 ⁺ . For detailed reporting requirements, see the chcklist here: https://www.hcd.ca.gov/community-development/docs/adequate-sites-checklist.pdf
	Extremely Low-Income ⁺	Very Low-Income ⁺	Low-Income ⁺	TOTAL UNITS ⁺	Extremely Low-Income ⁺	Very Low-Income ⁺	Low-Income ⁺	TOTAL UNITS ⁺	
Rehabilitation Activity									
Preservation of Units At-Risk									
Acquisition of Units									
Mobilehome Park Preservation									
Total Units by Income									

Jurisdiction	Ontario	
Reporting Period	2022	(Jan. 1 - Dec. 31)
Planning Period	6th Cycle	10/15/2021 - 10/15/2029

ANNUAL ELEMENT PROGRESS REPORT

Housing Element Implementation

Note: "+" indicates an optional field

Cells in grey contain auto-calculation formulas

Table F2																
Above Moderate Income Units Converted to Moderate Income Pursuant to Government Code section 65400.2																
For up to 25 percent of a jurisdiction's moderate-income regional housing need allocation, the planning agency may include the number of units in an existing multifamily building that were converted to deed-restricted rental housing for moderate-income households by the imposition of affordability covenants and restrictions for the unit. Before adding information to this table, please ensure housing developments meet the requirements described in Government Code 65400.2(b).																
Project Identifier					Unit Types		Affordability by Household Incomes After Conversion							Units credited toward Above Moderate RHNA		Notes
1					2	3	4							5		6
Prior APN*	Current APN	Street Address	Project Name*	Local Jurisdiction Tracking ID*	Unit Category (2 to 4,5+)	Tenure R=Renter	Very Low-Income Deed Restricted	Very Low-Income Non Deed Restricted	Low- Income Deed Restricted	Low- Income Non Deed Restricted	Moderate- Income Deed Restricted	Moderate- Income Non Deed Restricted	Above Moderate-Income	Total Moderate Income Units Converted from Above Moderate	Date Converted	Notes
Summary Row: Start Data Entry Below																

Jurisdiction

Ontario

Reporting Period

2022

(Jan. 1 - Dec. 31)

Planning Period

6th Cycle

10/15/2021 - 10/15/2029

NOTE: This table must only be filled out if the housing element sites inventory contains a site which is or was owned by the reporting jurisdiction, and has been sold, leased, or otherwise disposed of during the reporting year.

ANNUAL ELEMENT PROGRESS REPORT
Housing Element Implementation

Note: "+" indicates an optional field

Cells in grey contain auto-calculation formulas

Table G						
Locally Owned Lands Included in the Housing Element Sites Inventory that have been sold, leased, or otherwise disposed of						
Project Identifier						
1				2	3	4
APN	Street Address	Project Name ⁺	Local Jurisdiction Tracking ID ⁺	Realistic Capacity Identified in the Housing Element	Entity to whom the site transferred	Intended Use for Site
Summary Row: Start Data Entry Below						

Jurisdiction	Ontario
Reporting Period	2022

(Jan. 1 - Dec.
31)

NOTE: This table is meant to contain an inventory of ALL surplus/excess lands the reporting jurisdiction owns

Note: "+" indicates an optional field
Cells in grey contain auto-calculation formulas

ANNUAL ELEMENT PROGRESS REPORT
Housing Element Implementation

For San Bernardino County jurisdictions, please format the APN's as follows:9999-999-99-9999

Table H						
Locally Owned Surplus Sites						
Parcel Identifier				Designation	Size	Notes
1	2	3	4	5	6	7
APN	Street Address/Intersection	Existing Use	Number of Units	Surplus Designation	Parcel Size (in acres)	Notes
Summary Row: Start Data Entry Below						

Jurisdiction	Ontario	
Reporting Period	2022	(Jan. 1 - Dec. 31)
Planning Period	6th Cycle	10/15/2021 - 10/15/2029

NOTE: SB 9 PROJECTS ONLY. This table only needs to be completed if there were lot splits applied for pursuant to Government Code 66411.7 OR units constructed pursuant to 65852.21.

Units entitled/permitted/constructed must also be reported in Table A2. Applications for these units must be reported in Table A.

ANNUAL ELEMENT PROGRESS REPORT

Housing Element Implementation

NOTE: + indicates an optional field

Cells in grey contain auto-calculation formulas

Table I										
Units Constructed Pursuant to Government Code 65852.21 and Applications for Lot Splits Pursuant to Government Code 66411.7 (SB9)										
Project Identifier				Project Type	Date	Unit Constructed				Notes
1				2	3	4				
APN	Street Address	Project Name ⁺	Local Jurisdiction Tracking ID ⁺	Activity	Date	Very Low Income	Low Income	Moderate Income	Above Moderate Income	Notes
Summary Row: Start Data Entry Below										

Jurisdiction	Ontario	
Reporting Year	2022	(Jan. 1 - Dec. 31)
Planning Period	6th Cycle	10/15/2021 - 10/15/2029

Building Permits Issued by Affordability Summary		
Income Level		Current Year
Very Low	Deed Restricted	0
	Non-Deed Restricted	0
Low	Deed Restricted	0
	Non-Deed Restricted	0
Moderate	Deed Restricted	0
	Non-Deed Restricted	0
Above Moderate		1176
Total Units		1176

Note: Units serving extremely low-income households are included in the very low-income permitted units totals

Units by Structure Type	Entitled	Permitted	Completed
SFA	554	315	352
SFD	318	747	759
2 to 4	0	17	9
5+	758	0	0
ADU	0	97	80
MH	0	0	0
Total	1630	1176	1200

Housing Applications Summary	
Total Housing Applications Submitted:	15
Number of Proposed Units in All Applications Received:	3,142
Total Housing Units Approved:	0
Total Housing Units Disapproved:	0

Use of SB 35 Streamlining Provisions	
Number of Applications for Streamlining	0
Number of Streamlining Applications Approved	0
Total Developments Approved with Streamlining	0
Total Units Constructed with Streamlining	0

Units Constructed - SB 35 Streamlining Permits			
Income	Rental	Ownership	Total
Very Low	0	0	0
Low	0	0	0
Moderate	0	0	0
Above Moderate	0	0	0
Total	0	0	0

Jurisdiction	Ontario	
Reporting Year	2022	(Jan. 1 - Dec. 31)

ANNUAL ELEMENT PROGRESS REPORT					
Local Early Action Planning (LEAP) Reporting					
(CCR Title 25 §6202)					
Please update the status of the proposed uses listed in the entity's application for funding and the corresponding impact on housing within the region or jurisdiction, as applicable, categorized based on the eligible uses specified in Section 50515.02 or 50515.03, as applicable.					
Total Award Amount	\$ 500,000.00		Total award amount is auto-populated based on amounts entered in rows 15-26.		
Task	\$ Amount Awarded	\$ Cumulative Reimbursement Requested	Task Status	Other Funding	Notes
Task 1: Project Management	\$12,500.00	\$12,500.00	Completed	None	
Task 3: Outreach & Engagement	\$7,500.00	\$7,500.00	Completed	None	
Task 4: General Plan Update	\$355,000.00	\$326,251.85	In Progress	None	
Task 5: Housing Element Update	\$125,000.00	\$124,185.00	In Progress	None	

Summary of entitlements, building permits, and certificates of occupancy (auto-populated from Table A2)

Completed Entitlement Issued by Affordability Summary		
Income Level		Current Year
Very Low	Deed Restricted	0
	Non-Deed Restricted	0
Low	Deed Restricted	0
	Non-Deed Restricted	0
Moderate	Deed Restricted	0
	Non-Deed Restricted	0
Above Moderate		1630
Total Units		1630

Building Permits Issued by Affordability Summary		
Income Level		Current Year
Very Low	Deed Restricted	0
	Non-Deed Restricted	0
Low	Deed Restricted	0
	Non-Deed Restricted	0
Moderate	Deed Restricted	0
	Non-Deed Restricted	0
Above Moderate		1176
Total Units		1176

Certificate of Occupancy Issued by Affordability Summary		
Income Level		Current Year
Very Low	Deed Restricted	0
	Non-Deed Restricted	0
Low	Deed Restricted	0
	Non-Deed Restricted	0
Moderate	Deed Restricted	0
	Non-Deed Restricted	0
Above Moderate		1200
Total Units		1200

EXHIBIT B

2022 HOUSING ELEMENT ANNUAL PROGRESS REPORT

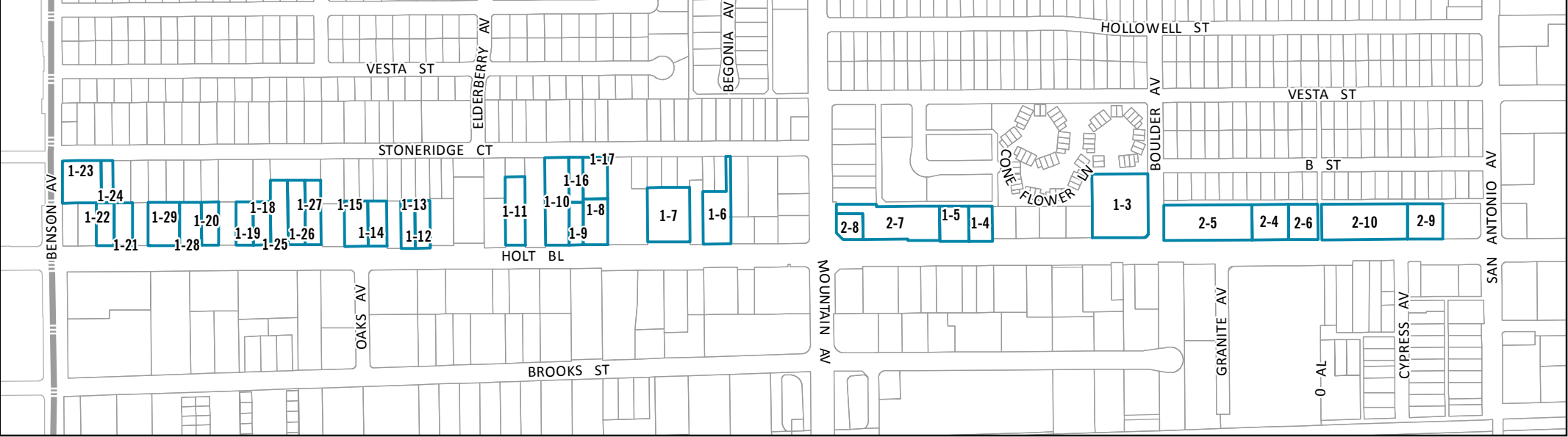
ATTACHMENT 1

HOUSING ELEMENT LAND INVENTORY MAP

Figure B-1: Housing Element Sites Inventory

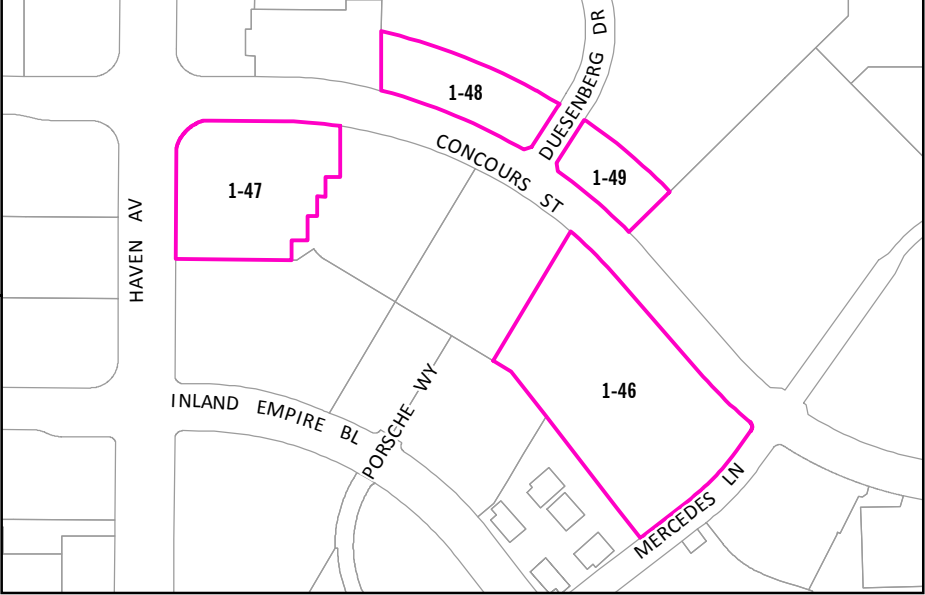


Figure B-1: Housing Element Sites Inventory



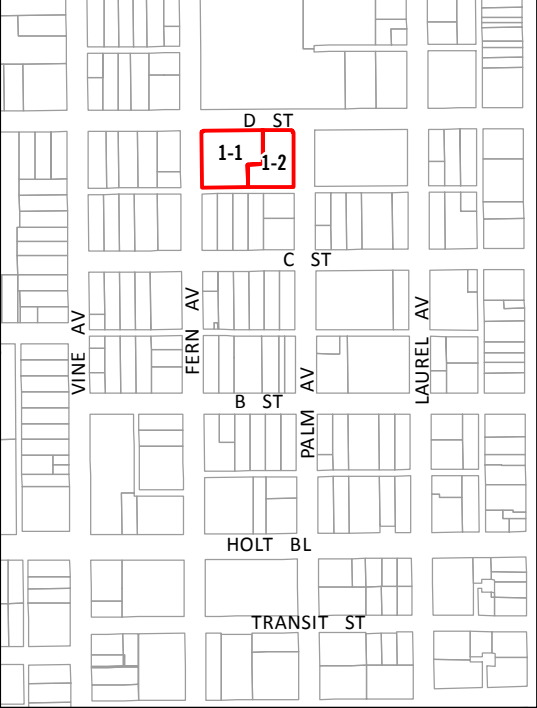
West Holt

City of Ontario | Housing Element Technical Report

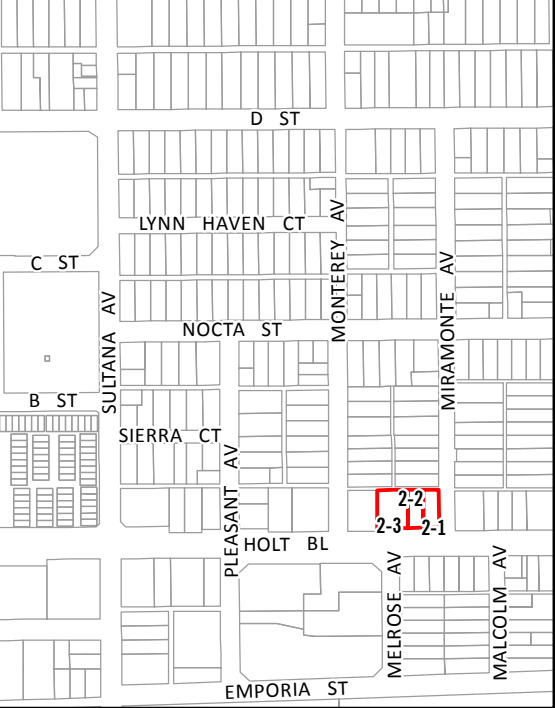


Ontario Center Specific Plan

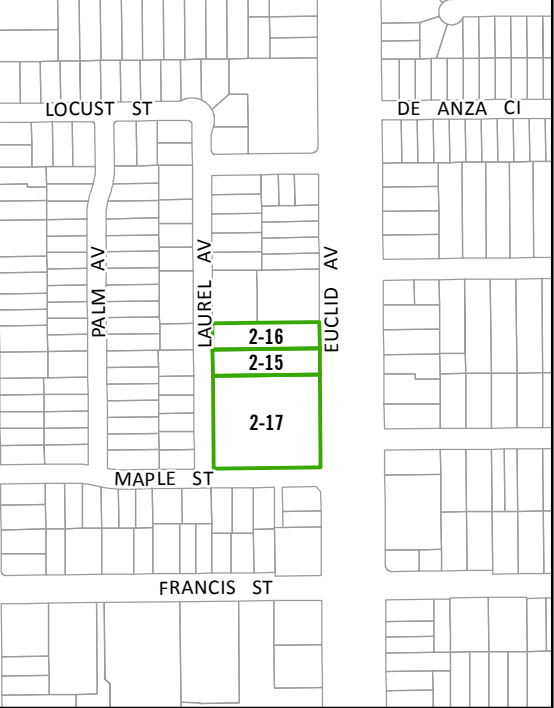
Downtown



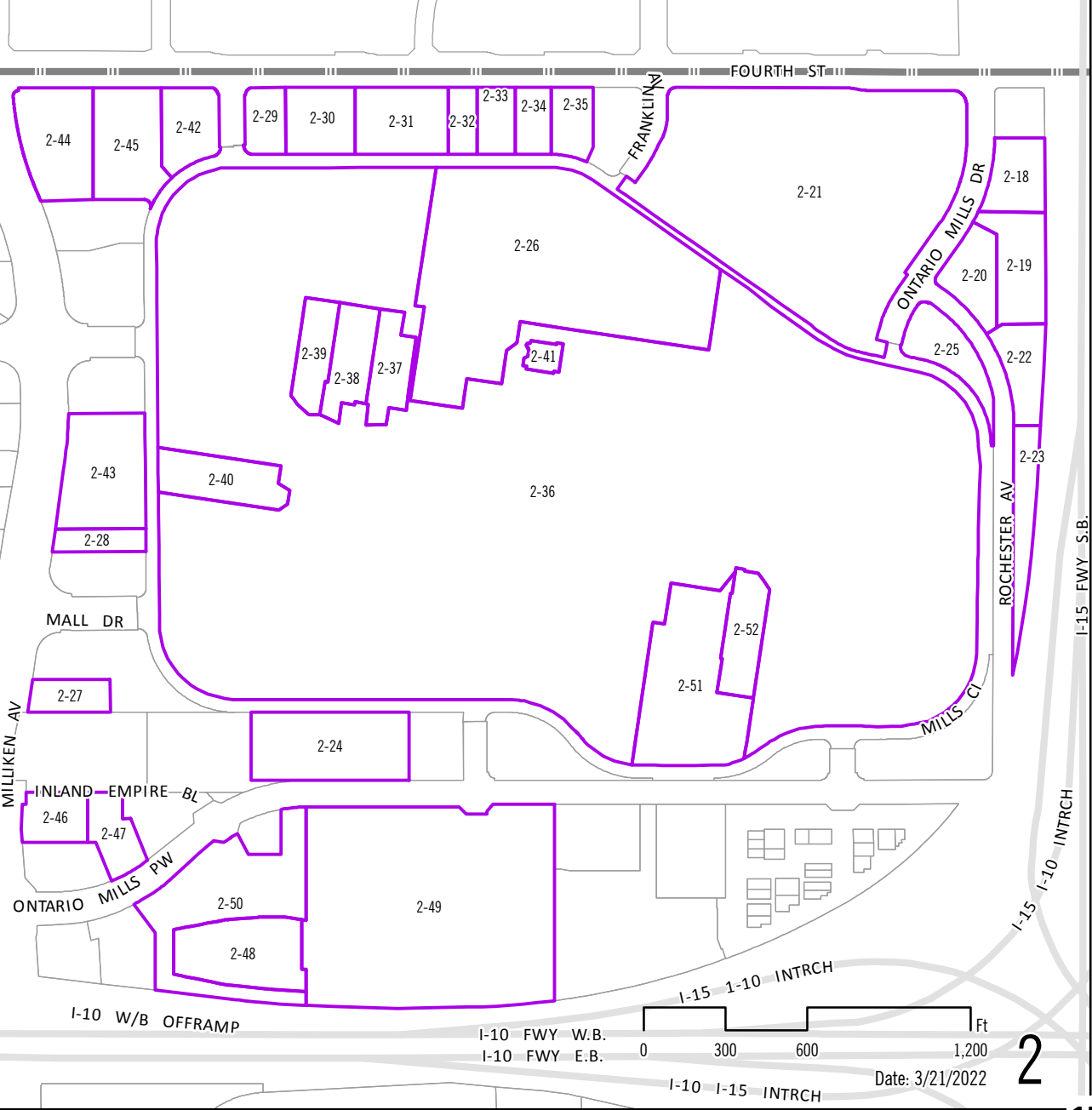
Downtown



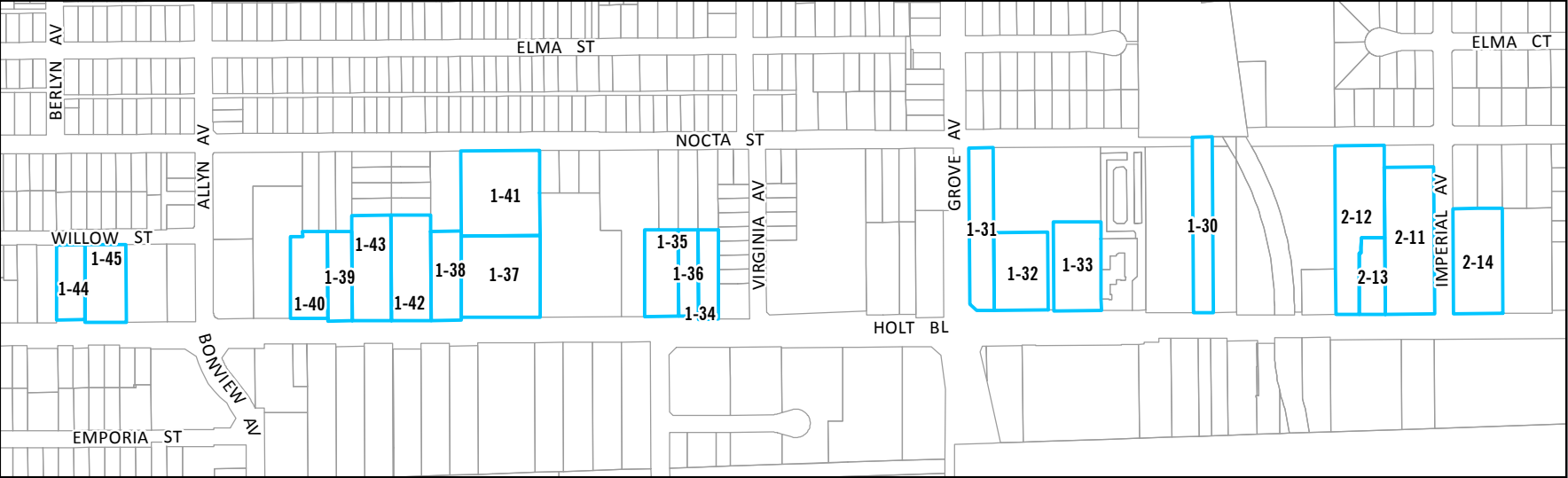
Old Cardenas Market



Ontario Mills Specific Plan



East Holt



CITY OF ONTARIO

Agenda Report
March 7, 2023

SECTION: CONSENT CALENDAR

Department: Development Administration
Prepared By: Derrick E Womble
Staff Member Presenting:
Scott Murphy, Executive Director Community
Development
Approved By: 

Submitted To: Council/OHA
Approved: _____
Continued To: _____
Denied: _____
Item No: 7

SUBJECT: A DEVELOPMENT IMPACT FEE CREDIT AGREEMENT (FILE NO. PDIF22-001) BETWEEN THE CITY OF ONTARIO AND KB HOME COASTAL, INC., FOR FACILITY CONSTRUCTION ASSOCIATED WITH TRACT MAP NO. 18916, LOCATED NEAR THE SOUTHWEST CORNER OF ARCHIBALD AVENUE AND CHINO AVENUE, WITHIN THE COUNTRYSIDE SPECIFIC PLAN AND TRACT MAP NOS. 20158, 20159, AND 20160, LOCATED NEAR THE SOUTHEAST CORNER OF MILL CREEK AVENUE AND OLD EDISON AVENUE, WITHIN THE ESPERANZA SPECIFIC PLAN

RECOMMENDATION: That the City Council approve the Development Impact Fee Credit Agreement (File No. PDIF22-001) between the City of Ontario and KB Home Coastal, Inc., for facility construction associated with Tract Map No. 18916, located near the southwest corner of Archibald Avenue and Chino Avenue, within the Countryside Specific Plan and Tract Map Nos. 20158, 20159, and 20160, located near the southeast corner of Mill Creek Avenue and Old Edison Avenue, within the Esperanza Specific Plan, and authorize the City Manager to execute the Agreement.

THE FOLLOWING COUNCIL GOALS ARE BEING ACHIEVED:

Invest in the Growth and Evolution of the City's Economy

Operate in a Businesslike Manner

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: Approval of the proposed Development Impact Fee ("DIF") Credit Agreement (File No. PDIF22-001) will result in no fiscal impact to the City's General Fund. The project's Development Agreements (File Nos. PDA19-002 and PDA21-004) and related Conditions of Approval (COA) for the tract maps, require KB Home Coastal, Inc. ("Developer") to construct DIF Program infrastructure with an estimated cost of \$15,984,925. The proposed DIF Credit Agreement defines the amount of DIF Credit that the Developer may be eligible to receive for construction of these improvements. The DIF Credit that the Developer will receive upon completion of the improvements may be exchanged for a refund of DIF that was paid by the Developer (up to the Developer's maximum DIF obligation) in the respective DIF category.

BACKGROUND & ANALYSIS: On October 1, 2019, and January 18, 2022, the City Council adopted Ordinance Nos. 3143 and 3198 respectively, approving Development Agreements to establish the terms and conditions for the development of the project sites within the Countryside and Esperanza Specific Plans.

Per the Development Agreements and COAs, the Developer is required to construct DIF Program infrastructure to serve the project sites, which includes the construction and completion of storm drain, street improvements, traffic signals, water and recycled water, sewer, and fiber optic facilities located along Archibald Avenue, Eucalyptus Avenue, and Mill Creek Avenue, within the Countryside and Esperanza Specific Plan development areas.

Pursuant to the City's adopted DIF Credit policies, construction of DIF Program facilities requires the Developer and the City to enter into a DIF Credit Agreement ("Agreement"). The terms of the proposed Agreement specify the defined portion of the infrastructure to be constructed by the Developer in the Local Adjacent or Regional DIF categories and includes an estimate of the maximum DIF Credit (not reimbursement) that may be applied in the respective Local Adjacent or Regional DIF category. This infrastructure is within Ontario Ranch Local Adjacent Storm Drain, Streets, Water, Sewer and Fiber Optic System categories. Since the maximum eligible costs in the Agreement for the required infrastructure exceeds the Developer's DIF obligation, the Developer is eligible to receive DIF Credit under the proposed Agreement.

The proposed Agreement complies with the City's DIF policies and is in conformance with the approved Development Agreements and related COAs. Under the provisions of the City's DIF Program, the City Manager is authorized to execute such agreements upon approval by the City Council.

CITY OF ONTARIO

Agenda Report
March 7, 2023

SECTION: **CONSENT CALENDAR**

Department: Municipal Services
Prepared By: Adrian Escamilla
Staff Member Presenting:
Tito Haes, Executive Director Public Works
Reviewed By: Andrea Ampig, Bonnie Tam
Approved By: 

Submitted To: Council/OHA
Approved: _____
Continued To: _____
Denied: _____
Item No: 8

SUBJECT: AWARD OF A CONSTRUCTION CONTRACT FOR THE ONTARIO POLICE DEPARTMENT LOCKER AND GYM EXPANSION PROJECT

RECOMMENDATION: That the City Council take the following actions:

- A. Reject Modern Construction Management Inc.'s bid protest against Pub Construction, Inc. for D&C20-019 Ontario Police Department Locker and Gym Expansion project;
- B. Authorize the City Manager or his designee to execute Construction Contract No. D&C20-019 with Pub Construction, Inc. of Diamond Bar, California for the Ontario Police Department Locker and Gym Expansion project in the amount of \$1,559,000;
- C. Authorize a 10% contingency of \$155,900 for a new contract value of \$1,714,900 to address any unforeseen issues that arise during construction; and
- D. Authorize the City Manager or his designee to execute all documents required for the completion of the project including, but not limited to, contracts, agreements, assessments, easements, reduction of retention accounts, and filing a notice of completion at the conclusion of all construction related activities.

THE FOLLOWING COUNCIL GOALS ARE BEING ACHIEVED:

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

FISCAL IMPACT: The proposed contract amount for the Ontario Police Department (OPD) Locker and Gym Expansion project is \$1,559,000. Staff is requesting a 10% contingency for a total contract amount of \$1,714,900. The Fiscal Year 2022-23 Budget includes appropriations for this project in the Capital Projects Fund.

BACKGROUND & ANALYSIS: The current OPD locker and gym space plan needs remodeling and rehabilitation to accommodate operational and staffing needs. The OPD locker and gym improvement will address the summary of corrective items listed from the Ontario Police Department Accessibility Compliance Report. This includes repairing existing conditions for accessible parking, accessible route corrections for the concrete walkway to the entrance of OPD,

repairs to general building amenities, and signage to comply with the 2019 Building Code and 2010 ADA Guidelines.

On December 1, 2022, Staff solicited bids for the OPD Locker and Gym Expansion Project. Staff received thirteen (13) construction bids ranging from \$1,559,000 to \$2,307,383. All the bids received are listed below:

<u>Vendor</u>	<u>Location</u>	<u>Amount</u>
Pub Construction, Inc.	Diamond Bar, CA	\$1,559,000
Modern Construction Mgmt., Inc.	Los Angeles, CA	\$1,664,000
J.A. Urban, Inc.	Monrovia, CA	\$1,670,068
R Dependable Construction, Inc.	San Bernardino, CA	\$1,721,500
Gilman Builders, Inc.	Rowland Heights, CA	\$1,834,000
JT Construction Group, Inc.	Duarte, CA	\$1,834,159
Marjani Builders, Inc.	Mission Viejo, CA	\$1,860,000
Patriot Contracting & Eng.	Yorba Linda, CA	\$1,874,000
KEMCORP Construction, Inc.	Ontario, CA	\$1,895,000
Wakeo, Inc.	Temecula, CA	\$1,900,000
Armstrong Cal Builders, Inc.	Signal Hill, CA	\$1,996,000
RBA Builders, Inc.	Fountain Valley, CA	\$2,273,273
MLC Constructors, Inc.	Corona, CA	\$2,307,383

On January 6, 2023, the City received a protest letter from Modern Construction Management, Inc. stating that Pub Construction, Inc. submitted a non-responsive bid because they are listed as a subcontractor who holds a “B” license and a “C-22” license but not a “C-21” license based on its designated subcontractor list for “demolition”. The City responded to Modern Construction Management, Inc. in a letter dated February 27, 2023, stating that the Bid Protest is meritless due to the black-letter-law indicating that a bid is not “non-responsive” based on the listing of an unlicensed subcontractor.

Pub Construction, Inc., located in Diamond Bar, California, was the lowest responsible bidder that met all the required specifications with a cost of \$1,559,000. Based on credentials, pricing, and favorable reference checks, Staff recommends awarding Construction Contract No. D&C20-019 to Pub Construction, Inc. The project’s estimated completion date is September 2023.

CITY OF ONTARIO

Agenda Report
March 7, 2023

SECTION: CONSENT CALENDAR

Department: Municipal Services
Prepared By: Daniel P Beers
Staff Member Presenting:
Tito Haes, Executive Director Public Works
Reviewed By: Andrea Ampig, Bonnie Tam
Approved By: 

Submitted To: Council/OHA
Approved: _____
Continued To: _____
Denied: _____
Item No: 9

SUBJECT: AMENDMENTS TO THE PROFESSIONAL SERVICES AGREEMENTS WITH KLEINFELDER, INC. FOR ON-CALL GEOTECHNICAL CONSULTING AND MATERIALS CONSULTING AND ON-CALL ARCHITECTURAL AND DESIGN SERVICES

RECOMMENDATION: That the City Council take the following actions:

- A. Authorize the City Manager or his designee to execute Amendment No. 21 to the Professional Services Agreement (on file in the Records Management Department) with Kleinfelder, Inc. of Ontario, California, to provide On-call Geotechnical Consulting and Materials Testing Services for the Grand Park Demo Project in the amount of \$16,900 for a new not-to-exceed total of \$1,707,935;
- B. Authorize the City Manager or his designee to execute Amendment No. 22 to the Professional Services Agreement (on file in the Records Management Department) with Kleinfelder, Inc. of Ontario, California, to provide On-call Geotechnical Consulting and Materials Testing Services for the CNG Compressor Replacement Project in the amount of \$4,679 for a new not-to-exceed total of \$1,712,614; and
- C. Authorize the City Manager or his designee to execute Amendment No. 9 to the Professional Services Agreement (on file in the Records Management Department) with Kleinfelder, Inc. of Ontario, California, to provide On-call Architectural and Design Services for the City Hall Campus Expansion Project in the amount of \$113,500 for a new not-to-exceed total of \$1,980,966.

THE FOLLOWING COUNCIL GOALS ARE BEING ACHIEVED:

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

FISCAL IMPACT: The recommended amended costs for the Professional Services Agreements are as follows:

- A. The recommended Amendment No. 21 increases the authorized contract amount by \$16,900 for a new not-to-exceed contract amount of \$1,707,935. The Fiscal Year 2022-23 Adopted

Budget includes appropriations in the Capital Projects Fund for the Geotechnical Consulting and Materials Testing Services for the Grand Park Demo Project.

- B. The recommended Amendment No. 22 increases the authorized contract amount by \$4,679 for a new not-to-exceed contract amount of \$1,712,613. The Fiscal Year 2022-23 Adopted Budget includes appropriations in the Integrated Waste and Mobile Source Air Funds for the Geotechnical Consulting and Materials Testing Services for the CNG Compressor Replacement Project.
- C. The recommended Amendment No. 9 increases the authorized contract amount by \$113,500, for a new not-to-exceed amount of \$1,980,966. The Fiscal Year 2022-23 Adopted Budget includes appropriations in the Capital Projects Fund for the Architectural and Design Services for the City Hall Campus Expansion Project.

BACKGROUND & ANALYSIS:

The Grand Park Project

The Grand Park Project began demolition in December 2022. This resulted in several large concrete debris piles to be ground down and re-used as base material for other parts of the park construction. Kleinfelder's special inspection will certify the concrete has been ground down to the proper size so that it can be utilized for the park construction.

CNG Compressor Replacement Project

The City has owned and operated the CNG fueling facility since 1995. Over the years, this facility has reduced the community's collective carbon footprint, improved air quality, lowered dependency on fossil fuels and foreign oil, and enabled compliance with the South Coast Air Quality Management District Rule 1193 "Clean On-Road Residential and Commercial Refuse Collection Vehicles." The facility provides CNG for 91 City vehicles, Ontario-Montclair School District buses, and a public fueling station located at 1440 South Cucamonga Avenue for citizens and local companies that own or operate CNG vehicles. The Amendment No. 22 is to provide inspections for the CNG compressor and generator to ensure that the new CNG station will be operational by March 2023.

City Hall Campus Expansion Project

The City Hall Campus Expansion Project, which includes the new Fire Station 1, parking structure, and a new City Hall Annex Building, has a storm drain that runs directly under the buildings. This storm drain needs to be relocated from the parking lot to D Street as it is located on a critical path where construction of the project will take place. Kleinfelder, Inc. is to assist in relocating the storm drain.

CITY OF ONTARIO

Agenda Report
March 7, 2023

SECTION: CONSENT CALENDAR

Department: Engineering
Prepared By: Jeffrey Tang
Staff Member Presenting:
Scott Murphy, Executive Director Community
Development
Reviewed By: Raymond Lee, Khoi Do
Approved By: 

Submitted To: Council/OHA
Approved: _____
Continued To: _____
Denied: _____
Item No: 10

SUBJECT: A RESOLUTION APPROVING AN IMPROVEMENT AGREEMENT, IMPROVEMENT SECURITY, AND FINAL TRACT MAP NO. 20379, LOCATED AT THE NORTHWEST CORNER OF MOUNTAIN AVENUE AND VESTA STREET

RECOMMENDATION: That the City Council adopt a Resolution approving an Improvement Agreement, Improvement Security and Final Tract Map No. 20379, located at the northwest corner of Mountain Avenue and Vesta Street.

THE FOLLOWING COUNCIL GOALS ARE BEING ACHIEVED:

Invest in the Growth and Evolution of the City's Economy

Focus Resources in Ontario's Commercial and Residential Neighborhoods

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

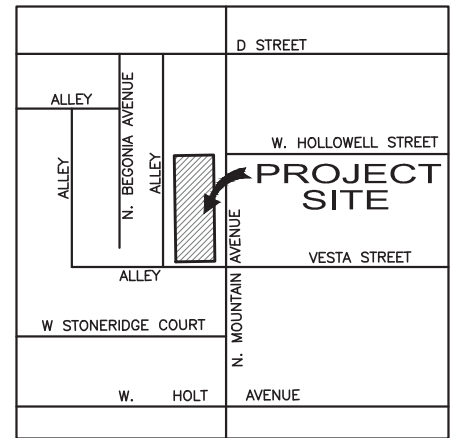
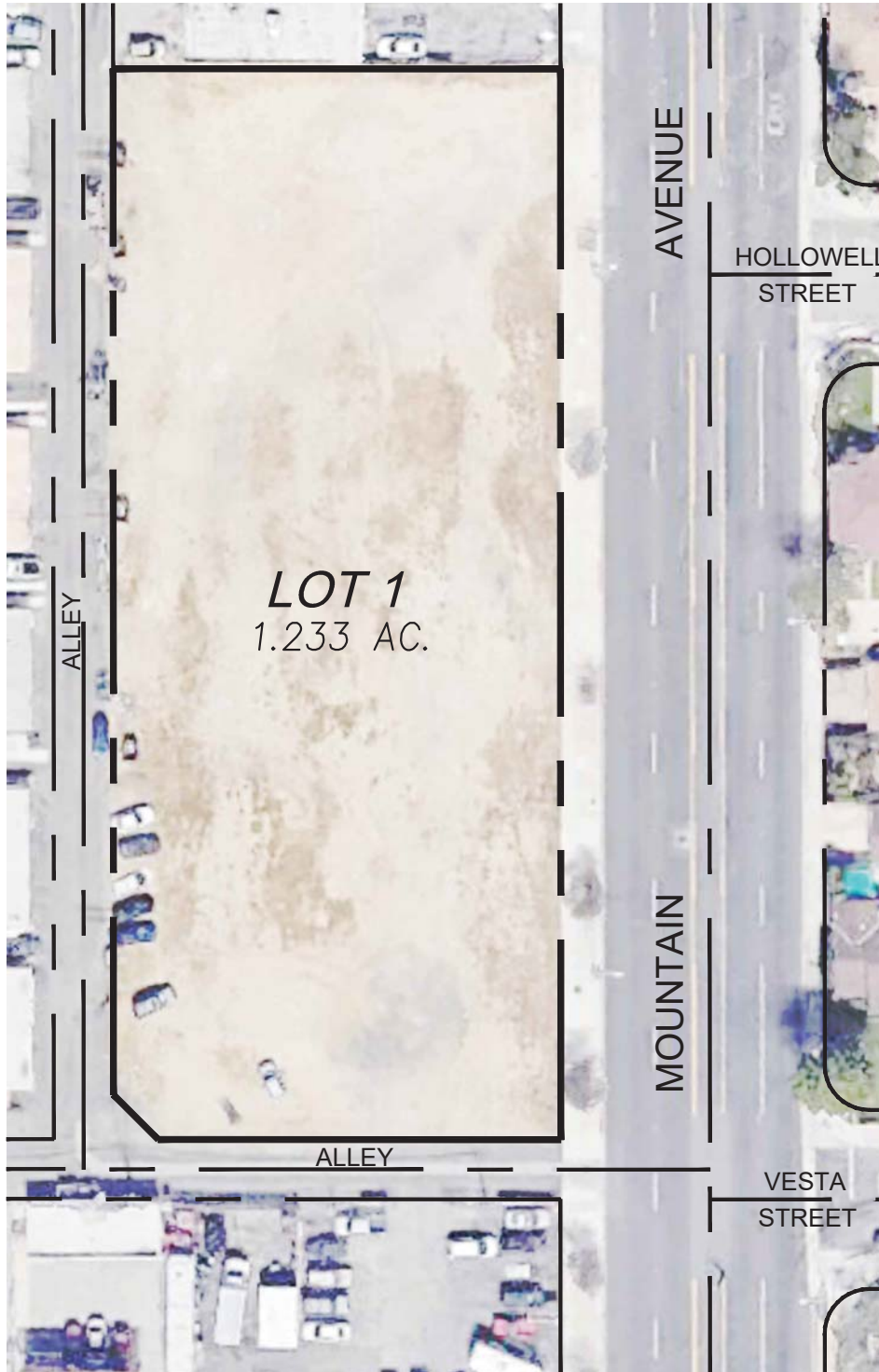
FISCAL IMPACT: There is not a direct fiscal impact associated with this action. All public infrastructure improvements required for this subdivision will be constructed by the Developer at its sole cost.

BACKGROUND & ANALYSIS: Final Tract Map No. 20379, consisting of one numbered lot on approximately one acre of land, as shown on Exhibit A, has been submitted by the Developer, 221 N. Mountain Ave, LLC, a California Limited Liability Company. The Tentative Tract Map No. 20379 was approved by the Planning Commission on September 28, 2021.

Improvements will include streets, storm drain, domestic water, sewer, fiber optic conduit, streetlights and parkway landscaping with irrigation. All landscape improvements will be consistent with current City approved drought measures.

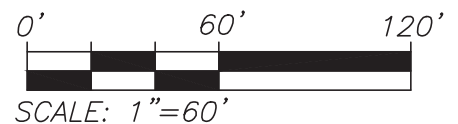
The Developer has entered into an Improvement Agreement with the City for Final Tract Map No. 20379 and has posted adequate security to ensure construction of the required improvements. This map meets all conditions of the Subdivision Map Act and the Ontario Municipal Code and has been reviewed and approved by the City Engineer.

EXHIBIT A
TRACT NO. 20379



VICINITY MAP

(NO SCALE)



PREPARED BY:

LAND DEVELOPMENT CONSULTANTS
1520 BROOKHOLLOW DRIVE, SUITE 33
SANTA ANA, CA 92705
(714) 557-7700

CITY OF ONTARIO
ENGINEERING DEPARTMENT

FILE NO. TM – 20379

APPLICANT:

221 N. MOUNTAIN AVENUE
A CALIFORNIA LIMITED
LIABILITY COMPANY

PROJECT: TRACT MAP NO. 20379

RESOLUTION NO. _____

A RESOLUTION APPROVING AN IMPROVEMENT AGREEMENT, IMPROVEMENT SECURITY, AND FINAL TRACT MAP NO. 20379, LOCATED AT THE NORTHWEST CORNER OF MOUNTAIN AVENUE AND VESTA STREET

WHEREAS, Tentative Tract Map No. 20379 submitted for approval by 221 N. Mountain Ave, LLC, was approved by the Planning Commission of the City of Ontario on September 28, 2021; and

WHEREAS, Tentative Tract Map No. 20379 consists of one numbered lot being a portion of Lot 26 of Tract No. 6740, as per map recorded in Book 84, Pages 92 & 93, of Maps, in the office of the County Recorder of San Bernardino County; and

WHEREAS, to meet the requirements established as prerequisite to final approval of Tract Map No. 20379, 221 N. Mountain Ave, LLC, a California Limited Liability Company has offered an Improvement Agreement together with good and sufficient improvement security, in conformance with the City Attorney's approved format, for approval and execution by the City; and

WHEREAS, the requirement for the preparation of Covenants, Conditions and Restrictions (CC&R's), approved by the City Attorney's Office, to ensure the right to mutual ingress and egress and continued maintenance of common facilities by the commonly affected property owners has been deferred to a date that coincides with the recordation of the subject Tract Map.

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

1. That said Improvement Agreement be, and the same is, approved and the City Manager is authorized to execute same on behalf of said City, and the City Clerk is authorized to attest thereto; and
2. That said Improvement Security is accepted as good and sufficient, subject to approval as to form and content thereof by the City Attorney; and
3. That Final Tract Map No. 20379 be approved and that the City Clerk be authorized to execute the statement thereon on behalf of said City.

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

PASSED, APPROVED, AND ADOPTED this 7th day of March 2023.

PAUL S. LEON, MAYOR

ATTEST:

SHEILA MAUTZ, CITY CLERK

APPROVED AS TO LEGAL FORM:

BEST, BEST & KREIGER, 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. 2023- was duly passed and adopted by the City Council of the City of Ontario at their regular meeting held March 7, 2023 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. 2023- duly passed and adopted by the Ontario City Council at their regular meeting held March 7, 2023.

SHEILA MAUTZ, CITY CLERK

(SEAL)

CITY OF ONTARIO

Agenda Report
March 7, 2023

SECTION:
CONSENT CALENDAR

Department: Fire Department
Prepared By: Jordan T Villwock
Staff Member Presenting:
Ray Gayk, Fire Chief
Approved By: 

Submitted To: Council/OHA
Approved: _____
Continued To: _____
Denied: _____
Item No: 11

SUBJECT: AN AMENDMENT TO THE CENTRAL SQUARE PUBLIC SAFETY CAD SYSTEM CONTRACT

RECOMMENDATION: That the City Council authorize the City Manager to execute Amendment No. 1 to the Professional Services Agreement (on file with the Records Management Department) with Central Square, the City's current public safety computer aided dispatch system vendor, to include additional connections to the City of Corona and interoperability throughout the State, in the amount of \$85,600 for an annual not-to-exceed amount of \$264,000.

THE FOLLOWING COUNCIL GOALS ARE BEING ACHIEVED:

Operate in a Businesslike Manner

Maintain the Current High Level of Public Safety

FISCAL IMPACT: The recommended Amendment No. 1 increases the current contract by \$85,600 of which \$69,600 will be passed through to the City of Corona. The Fiscal Year 2022-23 Adopted Budget includes appropriations in the Fire Mutual Aid Fund and in the General Fund to fund the remaining \$16,000 of the contract increase. Additionally, the Fiscal Year 2022-23 Adopted Budget includes appropriations from IT Technology Fund for annual maintenance cost of \$178,000.

BACKGROUND & ANALYSIS: In January of 2022, the City Council authorized the City Manager to enter into a contract to provide fire dispatch services to the City of Corona. In order to provide full fire dispatch services, our current computer aided dispatch system (Central Square) needs to interface with critical systems such as their report writing system, fire station alerting, and mobile data computers from the Corona Fire Department. The cost for these connections will be passed through to the City of Corona and once connected will allow us to collect the cost for full dispatch services and increase our revenues annually by over \$300,000. Additionally, the Ontario Fire Department is sharing the cost with the City of Corona for a connection with Tablet Command, which is a regional interoperability incident management system that allows sharing of critical information regardless of jurisdictional boundaries. Staff requests City Council approval to increase the current contract by \$85,600 for an annual not-to-exceed amount of \$264,000.

CITY OF ONTARIO

Agenda Report
March 7, 2023

SECTION:
CONSENT CALENDAR

Department: Information Technology
Prepared By: Dale Wishner
Staff Member Presenting:
Colin Fernandes, Executive Director Information
Technology
Approved By: 

Submitted To: Council/OHA
Approved: _____
Continued To: _____
Denied: _____
Item No: 12

SUBJECT: AN AGREEMENT FOR CITYWIDE DOOR ACCESS CONTROL SYSTEM REPLACEMENT AND MAINTENANCE

RECOMMENDATION: That the City Council authorize the City Manager to execute a five-year Agreement (on file with the Records Management Department) with Convergent Technologies LLC, of Anaheim, California, to upgrade the City's existing door access control system and provide maintenance and support for five years, for a total not-to-exceed amount of \$281,593.

THE FOLLOWING COUNCIL GOALS ARE BEING ACHIEVED:

Operate in a Businesslike Manner

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

FISCAL IMPACT: The Fiscal Year 2022-23 Adopted Budget includes appropriations from the Information Technology Fund to upgrade and maintain the door access control system. The proposed door access control systems upgrade has a not-to-exceed amount of \$238,241, including a 15% contingency of \$31,075 for installation and materials, if needed. The proposed five-year annual support services will be \$8,166 for the Fiscal Year 2023-24, \$8,410 for the Fiscal Year 2024-25, \$8,663 for the Fiscal Year 2025-26, \$8,923 for the Fiscal Year 2026-27, and \$9,190 for the Fiscal Year 2027-28 for a total contract amount not-to-exceed \$281,593. If approved, appropriations will be added to the future years' budgets consistent with the annual adoption process.

BACKGROUND & ANALYSIS: The City's existing facility door access control system is nearing the end of its useful life and is due to be replaced. The new door access control system will integrate with the City's existing security camera system, providing a unified system for monitoring the physical security of all City facilities. The proposed vendor, Convergent will provide ongoing maintenance of the access control system throughout the City.

On September 6, 2022, the City solicited request for proposals (RFP #1538) to replace the City's existing emerge door access control system and received three (3) bids from the following companies:

COMPANY	LOCATION	BID AMOUNT
ADT Commercial	Orange, California	\$138,545
Convergint Technologies	Anaheim, California	\$210,137
Johnson Controls	Cypress, California	\$275,669

Convergint Technologies was selected due to being the most responsive of the three vendors, with the experience desired for this project and met all of the requirements specified in the RFP. The addition will provide a uniform approach for the physical security of the City's facilities. Staff requests City Council approval for a not-to-exceed amount of \$281,593.

CITY OF ONTARIO

Agenda Report
March 7, 2023

SECTION:
CONSENT CALENDAR

Department: Fire Department
Prepared By: Belinda Ramirez
Staff Member Presenting:
Ray Gayk, Fire Chief
Approved By: 

Submitted To: Council/OHA
Approved: _____
Continued To: _____
Denied: _____
Item No: 13

SUBJECT: PURCHASE OF EXPLOSIVE ORDNANCE DISPOSAL ROBOT

RECOMMENDATION: That the City Council authorize the City Manager to execute the purchase of an Explosive Ordnance Disposal (EOD) Robot from ICOR Technology Inc. of Ottawa, Ontario, Canada in the amount of \$246,498.

THE FOLLOWING COUNCIL GOALS ARE BEING ACHIEVED:
Maintain the Current High Level of Public Safety

FISCAL IMPACT: The City, through the Fiscal Year 2021 UASI grant, has been awarded \$275,000 for the purchase of an Explosive Ordnance Disposal (EOD) Robot. The associated grant revenue and expenditure adjustments will be presented in the next quarterly budget report to the City Council. The City is not required to provide matching funds for this reimbursable grant.

BACKGROUND & ANALYSIS: In March 2022, Ontario Fire Department was notified that the California Office of Emergency Services approved the Fiscal Year 2021 UASI grant application in the amount of \$275,000 to purchase an Explosive Ordnance Disposal (EOD) Robot. The EOD Robot will improve the City's current capability to operate from a remote platform when assigned to incidents involving explosive threats and explosive device remediation. The remote platform also supports other mission areas, which include tactical law enforcement operations (SWAT), hazardous materials team operations and search & rescue.

The Fire Department solicited bids for the EOD Robot through the City's bid management system and notified 234 potential bidders. One bid was received from ICOR Technology, Inc. of Ottawa, Ontario, Canada. City Staff is recommending the purchase of the EOD Robot from ICOR Technology, Inc.

CITY OF ONTARIO

Agenda Report
March 7, 2023

SECTION:
PUBLIC HEARINGS

Department: Financial Services

Prepared By: Doreen Nunes

Staff Member Presenting:

Armen Harkalyan, Executive Director of Finance

Approved By:



Submitted To: Council/OHA

Approved: _____

Continued To: _____

Denied: _____

Item No: 14

SUBJECT: APPROVE THE SALE, RELATED DOCUMENTS AND OTHER ACTIONS RELATED TO THE ONTARIO PUBLIC FINANCING AUTHORITY, 2023 TAXABLE LEASE REVENUE BONDS (THE "2023 BONDS")

RECOMMENDATION: That the City Council and the Board of the Ontario Public Financing Authority adopt resolutions to approve and authorize the sale and execution of documents and approve related actions in connection with the issuance of the Ontario Public Financing Authority, 2023 Taxable Lease Revenue Bonds, including:

- A. That the Ontario Public Financing Authority adopt a Resolution of the Ontario Public Financing Authority authorizing the issuance of its Lease Revenue Bonds in the aggregate principal amount of not to exceed \$100,000,000 in connection with the financing of public capital improvements;
- B. Authorize and direct execution of an indenture of trust, lease agreement, memorandum of assignment, bond purchase and continuing covenant agreement, and agency agreement;
- C. Authorize the sale of the bonds and a placement agent agreement and authorizing official actions, and execution of related documents; and
- D. That the City Council adopt a Resolution authorizing proceedings and agreements relating to the financing of public capital improvements for public purposes, approving issuance and sale of bonds by the Ontario Public Financing Authority, approving a placement agent agreement and authorizing official actions.

THE FOLLOWING COUNCIL GOALS ARE BEING ACHIEVED:

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)

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

FISCAL IMPACT: The 2023 Bonds are being issued to fund public capital improvements, including land acquisition in the City. The 2023 Bonds are payable from the City's General Fund, which

includes Measure Q Sales Tax Revenues.

Appropriations for the 2023 Bonds annual debt service payment will be included in the Fiscal Year 2023-24 Proposed Annual Operating Budget, as well as in future annual budgets presented to City Council for approval.

BACKGROUND & ANALYSIS: In the general election held on November 8, 2022, Measure Q - a measure to increase the sales tax in the City from one (1%) percent to two (2%) percent to fund general community needs - was passed with the approval of 53.24% of the votes cast. Collection of revenues from Measure Q ("Measure Q Revenues") will begin in April 2023. The use of Measure Q Revenues is not restricted for a specific purpose or project. Under the State law, Measure Q Revenues are part of the City's General Fund. As part of its Fiscal Year 2023-24 Annual Operating Budget, the City Council will be asked to approve the use of Measure Q Revenues for upcoming debt service payments related to the 2023 Bonds (i.e., the Base Rental Payments and Additional Payments).

At the Special City Council meeting on January 19, 2023, a presentation was given on the 2023 Lease Revenue Bond size and structure by Staff. Council's direction was to proceed with the financing through a private placement process and return with legal documentation, sizing and formal financing approval. The private placement structure was recommended as a way to provide funds while 1) reducing costs of issuance compared to a traditional financing structure; 2) reduce the amount of Staff time involved with the completion of the financing; 3) shorten the time necessary to complete the financing primarily due to not having to prepare an official statement, no bond rating requirement and no pre-marketing periods built into the financing schedule; 4) no requirement to fund an initial debt service reserve account; and 5) the ability to negotiate specific financing terms on a one to one basis with the purchaser. Hilltop Securities serving as a placement agent solicited financing terms and interest rates from several lending institutions to facilitate a borrowing. We received bids from 3 qualified bidders, which included 9 loan options and are summarized herein.

The 2023 Bonds are initially structured as an interest only financing and contain a mandatory tender call at the end of three years (March 1, 2026). On or prior to the mandatory tender date, the 2023 Bonds will be refinanced either as a reissued short-term financing or, more likely, into long-term and fully amortized borrowing, depending on the City's financing and economic goals, as well as the market conditions at that time.

On February 10, 2023, the Placement Agent on behalf of the City and the Authority, accepted bids from purchasers on the proposed financing. The bids taken consisted of terms with an indicative interest date based on certain terms and were subject to change. City Staff recommends Bank of America as the best bid in terms of both the interest rate and terms provided.

Table 1 summarizes the calculation of the estimated debt service on the 2023 Bonds to the mandatory tender date based on the bids received.

Table 1

Bank Bids	Interest Cost Through Mandatory Tender Date
Bank of America – Fixed Rate with No Optional Par Call (updated rate as of 03/01/2023)	\$14,845,250
Bank of America - Fixed Rate with No Optional Par Call	\$13,536,250
Bank of America – Fixed Rate with 2-Year Call Option	\$15,171,028
Bank of America – Fixed Rate with 1-Year Call Option	\$17,317,028
Bank of America – Revolving Bond Credit Agreement Option (Variable Rate)	<i>Variable Rate</i>
Bank of the West Bid	\$16,095,000
PNC Bank Fixed Rate Bid (Primary Treasury Management and Depository Relationship)	\$13,731,419
PNC Bank Fixed Rate Bid (Minimum \$50mm Depository Relationship)	\$14,327,531
PNC Bank Variable Rate Bid (Primary Treasury Management and Depository Relationship)	<i>Variable Rate</i>
PNC Bank Variable Rate Bid (Minimum \$50mm Depository Relationship)	<i>Variable Rate</i>

Since the bids were received (February 10th), market interest rates have increased across the yield curve primarily due to inflationary and other economic pressures as well as actions taken by the Federal Reserve Board. The current interest rate from Bank of America as of March 1, 2023, was at 4.99% and is still subject to change either up or down until locked (set) by the Bank and the City. This increase in the rate bid by Bank of America seems to track similar rate increases in the US Treasury, 2-year Bond rate over the same period of time. Staff has directed the Bond Financing Team that the interest rate set should not proceed if the interest rate is in excess of 4.75%. If interest rates do not decrease to 4.75% over a reasonable amount of time, the City will proceed with identifying different sources of funds for land acquisition and public improvement purposes.

Table 2 summarizes the source and uses of funds for the 2023 Bonds.

Source and Uses of Funds:

SOURCES	
Bonds Par Amount	\$100,000,000.00
Total Sources	\$100,000,000.00
USES	

Deposit into Project Fund	\$99,444,750.00
Costs of Issuance (Excluding Bank Fees)	265,250.00
Bank Closing Fee	250,000.00
Bank Counsel Fee	40,000.00
Total Uses	\$100,000,000.00

Term Sheet Results:

As mentioned above, the City received 9 bids from 3 qualified bidders. Table 3 summarizes the bidding results for the 2023 Bonds.

Table 3

Bank Bids	Interest Cost Through Mandatory Tender Date	Total Bank Fees	Rate	Call Option
Bank of America - Fixed Rate No Optional Par Call (<i>Updated Rate as of 03/01/2023</i>)	\$14,845,250	\$290,000	4.99%	1. No optional par call 2. Make whole call on any date
Bank of America – Fixed Rate No Optional Par Call	\$13,536,250	\$290,000	4.55%	1. No optional par call 2. Make whole call on any date
Bank of America – Fixed Rate with 2-Year Call Option	\$15,171,028	\$290,000	5.09%	1. Optional call on 3/1/2025 with 0.54% call premium 2. Make whole call on any date
Bank of America – Fixed Rate with 1-Year Call Option	\$17,317,028	\$290,000	5.81%	1. Optional call on 3/1/2024 with 1.26% call premium 2. Make whole call on any date
Bank of America – Revolving Bond Credit Agreement Option (Variable Rate)	Variable Rate	\$290,000	Variable Rate of Daily SOFR Rate plus Credit Spread Adjustment of 0.11% plus Applicable Margin of 0.62%. Current spot rate of 5.28%	Optional call on any date without call premium
Bank of the West	\$16,095,000	\$20,000	5.40%	Optional call on any date without call premium

PNC Bank Fixed Rate Bid (Primary Treasury Management and Depository Relationship)	\$13,731,419	\$20,000	4.607%	No optional par call
PNC Bank Fixed Rate Bid (Minimum \$50mm Depository Relationship)	\$14,327,531	\$20,000	4.807%	No optional par call
PNC Bank Variable Rate Bid (Primary Treasury Management and Depository Relationship)	Variable Rate	\$30,000	Variable Rate of One Month SOFR plus Initial Applicable Spread of 0.65%	No optional par call
PNC Bank Variable Rate Bid (Minimum \$50mm Depository Relationship)	Variable Rate	\$30,000	Variable Rate of One Month SOFR plus Initial Applicable Spread of 0.85%	No optional par call

The interest rates on these Purchaser proposals will float/be subject to change until a rate lock agreement is signed between the Bank and the City.

Financing Document Approval:

The Resolutions provide approval of the forms of the following documents:

- **Lease Agreement** between the Authority and the City, which will specify the specific terms of the 2023 Bond, according to the terms and conditions set forth therein including the obligation of the City to make payments of the base rental payments to the Authority. The Lease Agreement serves as both a site lease agreement of the property from the City, as lessor, to the Authority, as lessee, and a sub-lease agreement from the Authority, as lessor, to the City, as lessee, in order to make the lease payments.
- **Memorandum of Assignment** between the Authority and the City whereby the Authority assigns its right to receive the base rental payments to the Trustee or Paying Agent for payment on the 2023 Bonds.
- **Indenture of Trust** between the City and the Trustee or Paying Agent which will further specify terms of the 2023 Bonds including repayment thereof.
- **Agency Agreement** between the Authority and the City which sets out the obligation of the City to acquire and/or construct the Project on behalf of the Authority.
- **Placement Agent Agreement** between the Authority and Hilltop Securities as Placement Agent whereby Hilltop Securities agrees to place the 2023 Bonds with the Purchaser in an arms-length transaction.
- **Bond Purchase and Continuing Covenant Agreement** among the Authority, the City and Bank of America which establishes the conditions under which the purchasing bank will acquire the Bonds for its own account and the necessary terms to be included in the bond documents.

In addition, the resolutions appoint the following firms to work on the sale of the 2023 Bonds (the “Financing Team”):

- Best, Best, & Krieger LLP as Bond Counsel
- Hilltop Securities Inc. as Placement Agent
- Zions Bancorporation, National Association, as Trustee

Next Steps in The Bond Issuance Process:

Should the Authority and the City Council approve their respective resolutions tonight, it is anticipated that the following steps will occur assuming rates come down to 4.75% or better with a proposed closing of the 2023 Bonds within three days following the Rate Set date:

Tuesday, March 7, 2023	Authority and City Council Consideration
Week of March 6, 2023	Finalize all Documents in Preparation of Rate Set
3 Days Following Rate Set	Closing and Transfer of Funds

RESOLUTION NO. OPFA-_____

A RESOLUTION OF THE ONTARIO PUBLIC FINANCING AUTHORITY AUTHORIZING THE ISSUANCE OF ITS LEASE REVENUE BONDS IN THE AGGREGATE PRINCIPAL AMOUNT OF NOT TO EXCEED \$100,000,000 IN CONNECTION WITH THE FINANCING OF PUBLIC CAPITAL IMPROVEMENTS, AUTHORIZING AND DIRECTING EXECUTION OF AN INDENTURE, LEASE AGREEMENT, MEMORANDUM OF ASSIGNMENT, BOND PURCHASE AND CONTINUING COVENANT AGREEMENT AND AGENCY AGREEMENT, AUTHORIZING THE SALE OF THE BONDS AND A PLACEMENT AGENT AGREEMENT AND AUTHORIZING OFFICIAL ACTIONS AND EXECUTION OF RELATED DOCUMENTS

WHEREAS, the Ontario Public Financing Authority (the "Authority") has been formed pursuant to the laws of the State of California, namely, the Marks-Roos Local Bond Pooling Act of 1985, constituting Article 4 (commencing with Section 6584) of Chapter 5 of Division 7 of Title 1 of the Government Code of the State, as amended from time to time (the "Act"), to finance the acquisition and construction of public capital improvements for the City of Ontario (the "City"); and

WHEREAS, the City has requested the Authority to issue its Taxable Lease Revenue Bonds, 2023 Series A (the "Bonds") for the purpose of providing funds to enable the City to finance land acquisition and infrastructure improvements (the "Project"); and

WHEREAS, the City intends to lease certain public improvements owned by the City (the "Leased Premises") to the Authority and lease the Leased Premises back from the Authority pursuant to the Lease Agreement between the City and the Authority (the "Lease Agreement"); and

WHEREAS, the Bonds will be issued for the purpose of financing the cost of constructing and acquiring the Project, which Bonds are payable from lease payments to be paid to the Authority by the City pursuant to the Lease Agreement; and

WHEREAS, the Bonds will be issued under the Indenture (the "Indenture") by and between the Authority and Zions Bancorporation, National Association as trustee (the "Trustee") and secured by the payment of the lease payments under the Lease Agreement; and

WHEREAS, under the Indenture, the Authority will assign its right to receive the lease payments and the right to exercise remedies under the Lease Agreement, to the Trustee as shown in a Memorandum of Assignment (the "Memorandum of Assignment"); and

WHEREAS, the City will undertake to construct the Project for the Authority pursuant to an Agency Agreement (the "Agency Agreement") between the City and the Authority; and

WHEREAS, the Authority and the City have been presented with a form of Bond Purchase and Continuing Covenant Agreement (the "Bond Purchase and Continuing Covenant Agreement") among the Authority, the City and Bank of America, N.A. (or an affiliate thereof) (the "Purchaser"), which establishes the conditions under which the purchaser will acquire the Bonds originally for its own account and the necessary terms to be included in the bond documents; and

WHEREAS, the Authority and the City have been presented with a form of Placement Agent Agreement (the "Placement Agent Agreement"), among the Authority, the City and Hilltop Securities Inc., as placement agent for the Bonds (the "Placement Agent"), which establishes the terms and conditions for the Placement Agent to assist the Authority in placing the Bonds; and

WHEREAS, the Board of the Authority (the "Board") has duly considered such transactions and has determined that it approves said transactions in the public interests of the City and the Authority;

NOW, THEREFORE, THE BOARD OF DIRECTORS OF THE ONTARIO PUBLIC FINANCING AUTHORITY DOES HEREBY RESOLVE, ORDER AND DETERMINE AS FOLLOWS:

SECTION 1. Findings and Determinations. (a) Pursuant to the Act, the Board hereby finds and determines that the issuance of the Bonds will result in savings in effective interest rates, bond underwriting costs and bond issuance costs and thereby result in significant public benefits within the contemplation of Section 6586 of the Act.

(b) The Board finds and determines that the above recitals are true and correct and that the fair rental value of the leased premises exceeds the present value of lease payments to be made under the Lease Agreement.

SECTION 2. Issuance of Bonds. The Board hereby authorizes the issuance of the Bonds for the purpose of refinancing the Bonds under and pursuant to the Act, in the maximum aggregate principal amount not to exceed \$100,000,000.00.

SECTION 3. Approval of Financing Documents. The Board hereby approves each of the following documents in substantially the respective forms on file with the Secretary, together with such additions thereto and changes therein as Bond Counsel shall deem necessary, desirable or appropriate, the execution of which by the Chair, the Vice Chair, the Executive Director, or the Treasurer shall be conclusive evidence of the approval of any such additions and changes:

- (1) the Indenture;
- (2) Lease Agreement;
- (3) the Memorandum of Assignment;
- (4) the Bond Purchase and Continuing Covenant Agreement; and

(5) the Agency Agreement.

The Chair, the Vice Chair, the Executive Director or the Treasurer are hereby authorized and directed to execute, and the Secretary is hereby authorized and directed to attest and affix the seal of the Authority to, the final form of each of the foregoing documents and agreements for and in the name and on behalf of the Authority. The Board hereby authorizes the delivery and performance of each of the foregoing documents and agreements.

SECTION 4. Placement Agent Agreement. Subject to the provisions of Section 5 hereof, the Executive Director, the Treasurer or their designee is hereby authorized and directed to negotiate and evidence the Authority's acceptance of the offer made by the Placement Agent Agreement by executing and delivering the Placement Agent Agreement in a form as the officer executing the same may approve, such approval to be conclusively evidenced by the execution and delivery thereof, so long as the Placement Agent's fee shall not exceed \$100,000.00.

SECTION 5. Final Terms of Bonds. The Executive Director or the Treasurer, or their designee based on such advice of Authority staff and the Authority's financial consultant as said officer may deem necessary, is hereby authorized and directed to act on behalf of the Authority to establish and determine (i) the final principal amount of the Bonds, which amount shall not exceed \$100,000,000.00; and (ii) the interest cost on the Bonds shall be as set forth in the term sheet presented to this meeting.

SECTION 6. Official Actions. The Chair, the Vice Chair, the Executive Director, the Treasurer, the Secretary and any and all other officers of the Authority are hereby authorized and directed, for and in the name and on behalf of the Authority, to do any and all things and take any and all actions, and including execution, delivery and recording of any and all assignments, certificates, requisitions, agreements, notices, consents, instruments of conveyance, warrants and other documents, which they, or any of them, may deem necessary or advisable in connection with the issuance and sale of the Bonds.

SECTION 7. Effective Date. This Resolution shall take effect upon adoption.

The Secretary of the Ontario Public Financing Authority shall certify as to the adoption of this Resolution.

PASSED, APPROVED, AND ADOPTED this 7th day of March, 2023.

PAUL S. LEON, CHAIRMAN

ATTEST:

SHEILA MAUTZ, AUTHORITY SECRETARY

APPROVED AS TO FORM:

BEST BEST & KRIEGER LLP
CITY ATTORNEY

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

I, Sheila Mautz, Secretary of the Ontario Public Financing Authority, DO HEREBY CERTIFY that the foregoing Resolution No. OPFA-____ was duly passed and adopted by the Board Members of the Ontario Public Financing Authority at their regular meeting held March 7, 2023 by the following roll call vote, to wit:

AYES: CHAIRMAN/BOARD MEMBERS:

NOES: BOARD MEMBERS:

ABSENT: BOARD MEMBERS:

SHEILA MAUTZ, AUTHORITY SECRETARY

(SEAL)

The foregoing is the original of Resolution No. OPFA-____ duly passed and adopted by the Ontario Public Financing Authority at their regular meeting held March 7, 2023

SHEILA MAUTZ, AUTHORITY SECRETARY

(SEAL)

RESOLUTION NO. 2023-_____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA AUTHORIZING PROCEEDINGS AND AGREEMENTS RELATING TO THE FINANCING OF PUBLIC CAPITAL IMPROVEMENTS FOR PUBLIC PURPOSES, APPROVING THE ISSUANCE AND SALE OF BONDS BY THE ONTARIO PUBLIC FINANCING AUTHORITY, APPROVING A BOND PURCHASE AND CONTINUING COVENANT AGREEMENT, A PLACEMENT AGENT AGREEMENT AND AUTHORIZING OFFICIAL ACTIONS

WHEREAS, the Ontario Public Financing Authority (the “Authority”) has been formed pursuant to the laws of the State of California, namely, the Marks-Roos Local Bond Pooling Act of 1985, constituting Article 4 (commencing with Section 6584) of Chapter 5 of Division 7 of Title 1 of the Government Code of the State, as amended from time to time (the “Act”), to finance the acquisition and construction of public capital improvements for the City of Ontario (the “City”); and

WHEREAS, the City has requested that the Authority issue its lease revenue bonds for the purpose of providing funds to enable the City to finance land acquisition and infrastructure improvements (the “Project”); and

WHEREAS, the City intends to lease certain public improvements owned by the City (the “Leased Premises”) to the Authority and lease the Leased Premises back from the Authority pursuant to the Lease Agreement between the City and the Authority (the “Lease Agreement”); and

WHEREAS, the Authority desires to issue its Taxable Lease Revenue Bonds, 2023 Series A (the “Bonds”) for the purpose of financing the Project, which Bonds will be payable from lease payments to be paid to the Authority by the City pursuant to the Lease Agreement; and

WHEREAS, the Bonds will be issued under the Indenture (the “Indenture”) by and between the Authority and Zions Bancorporation, National Association as trustee (the “Trustee”) and secured by the payment of the lease payments under the Lease Agreement; and

WHEREAS, under the Indenture, the Authority will assign its right to receive the lease payments and the right to exercise remedies under the Lease Agreement, to the Trustee as shown in a Memorandum of Assignment (the “Memorandum of Assignment”); and

WHEREAS, the City will undertake to construct the Project for the Authority pursuant to an Agency Agreement (the “Agency Agreement”) between the City and the Authority; and

WHEREAS, the City and the Authority have been presented with a form of Bond Purchase and Continuing Covenant Agreement (the "Bond Purchase and Continuing Covenant Agreement") among the Authority, the City and Bank of America, N.A. (or an affiliate thereof) (the "Purchaser"), which establishes the conditions under which the Purchaser will acquire the Bonds originally for its own account and the necessary terms to be included in the Indenture and Lease Agreement; and

WHEREAS, the City and the Authority have been presented with a form of Placement Agent Agreement (the "Placement Agent Agreement"), among the Authority, the City and Hilltop Securities Inc., as placement agent for the Bonds (the "Placement Agent"), which establishes the terms and conditions for the Placement Agent to assist the Authority in placing the Bonds; and

WHEREAS, Section 5852.1 of the Government Code of the State of California ("Section 5852.1") provides that the City Council obtain from an underwriter, financial advisor or private lender and disclose, in a meeting open to the public, prior to authorization of the issuance of the Bonds, good faith estimates of: (a) the true interest cost of the Bonds, (b) the finance charge of the Bonds, meaning the sum of all fees and charges paid to third parties, (c) the amount of proceeds of the Bonds received less the finance charge described above and any reserves or capitalized interest paid or funded with proceeds of the Bonds and (d) the sum total of all debt service payments on the Bonds calculated to the final maturity of the Bonds plus the fees and charges paid to third parties not paid with the proceeds of the Bonds; and

WHEREAS, in accordance with Section 5852.1, the City has obtained such good faith estimates from the Placement Agent, and such estimates are disclosed in Exhibit A attached hereto; and

WHEREAS, the City Council has conducted a noticed public hearing pursuant to Section 6586.5 of the California Government Code and published notice was given in accordance with the terms of the Government Code.

WHEREAS, the City Council wishes at this time to authorize all proceedings relating to the issuance and sale of the Bonds and all other agreements and documents relating thereto.

NOW, THEREFORE, BE IT RESOLVED, DETERMINED AND ORDERED BY THE CITY OF ONTARIO AS FOLLOWS:

SECTION 1. Findings and Determinations. (a) The City Council finds and determines that it is in the prudent management of the fiscal affairs of the City that the proceeds of the Bonds be used to finance the Project.

(b) Pursuant to the Act, the City Council hereby finds that the issuance of the Bonds by the Authority will result in savings in effective interest rates and bond issuance costs and thereby result in significant public benefits pursuant to Section 6586 of the Act.

(c) The fair rental value of the leased premises, under the Lease Agreement (the "Leased Premises"), exceeds the present value of lease payments to be made under the Lease Agreement.

SECTION 2. Approval of Bonds. The City Council hereby approves of the issuance of the Bonds for the purpose of financing the Project by the Authority under and pursuant to the Act provided that the maximum aggregate principal amount of the Bonds shall not exceed \$100,000,000.00.

SECTION 3. Approval of Financing Documents. The City Council hereby approves each of the following documents in the respective forms on file with the City Clerk, together with such additions thereto and changes therein as the Bond Counsel shall deem necessary, desirable or appropriate, the execution of which by the Mayor, the Mayor Pro Tem, the City Manager or the Executive Director of Finance shall be conclusive evidence of the approval of any such additions and changes.

- (a) The Lease Agreement;
- (b) the Bond Purchase and Continuing Covenant Agreement; and
- (c) the Agency Agreement.

The Mayor, the Mayor Pro Tem, the City Manager or the Executive Director of Finance is hereby authorized and directed to execute, and the City Clerk is hereby authorized and directed to attest and affix the seal of the City to, the final forms of each of the above-mentioned documents for and in the name and on behalf of the City.

SECTION 4. Placement Agent Agreement. Subject to the provisions of Section 5 hereof, the City Manager, the Executive Director of Finance, or his designee is hereby authorized and directed to negotiate and evidence the City's acceptance of the offer made by the Placement Agent Agreement by executing and delivering the Placement Agent Agreement in a form as the officer executing the same may approve, such approval to be conclusively evidenced by the execution and delivery thereof so long as the Placement Agent's fee shall not exceed \$100,000.00.

SECTION 5. Final Terms of Bonds. The City Manager or the Executive Director of Finance, or his designee based on such advice of City staff and the Placement Agent as said officer may deem necessary, is hereby authorized and directed to act on behalf of the City to establish and determine (i) the final principal amount of the Bonds, which amount shall not exceed \$100,000,000.00; and (ii) the interest cost on the Bonds shall be as set forth in the term sheet presented to this meeting.

SECTION 6. Official Actions. The Mayor, the Mayor Pro Tem, the City Manager, the Executive Director of Finance, the City Clerk and any and all other officers of the City are hereby authorized and directed, for and in the name and on behalf of the City, to do any and all things and take any and all actions, including execution, delivery and recording of any and all assignments, certificates, requisitions, agreements, notices, consents, instruments of conveyance, warrants and other documents, which they, or any of them,

may deem necessary or advisable in order to consummate the transactions as described herein in connection with the issuance and sale of the Bonds.

SECTION 7. Effective Date. This Resolution shall take effect upon adoption.

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

PASSED, APPROVED, AND ADOPTED this 7th day of March, 2023.

PAUL S. LEON, MAYOR

ATTEST:

SHEILA MAUTZ, CITY CLERK

APPROVED AS TO FORM:

BEST BEST & KRIEGER LLP
CITY ATTORNEY

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

I, Sheila Mautz, City Clerk of the City of Ontario, DO HEREBY CERTIFY that the foregoing Resolution No. 2023-____ was duly passed and adopted by the City Council of the City of Ontario at their regular meeting held March 7, 2023 by the following roll call vote, to wit:

AYES: MAYOR/BOARD MEMBERS:

NOES: BOARD MEMBERS:

ABSENT: BOARD MEMBERS:

SHEILA MAUTZ, CITY CLERK

(SEAL)

The foregoing is the original of Resolution No. 2023-____ duly passed and adopted by the Ontario City Council at their regular meeting held March 7, 2023

SHEILA MAUTZ, CITY CLERK

(SEAL)

EXHIBIT A**GOOD FAITH ESTIMATES**

The good faith estimates set forth herein are provided with respect to the Bonds in accordance with California Government Code Section 5852.1. Such good faith estimates have been provided to the City by the Placement Agent.

Principal Amount. The Placement Agent has informed the City that, based on the financing plan and current market conditions, its good faith estimate of the aggregate principal amount of the Bonds to be sold is **\$100,000,000.00** (the “Estimated Principal Amount”) which does not include net premium estimated to be generated based on current market conditions. Net premium is generated when, on a net aggregate basis for a single issuance of bonds, the price paid for such bonds is higher than the face value of such bonds. Such Estimated Principal Amount and such estimated net premium amount would produce approximately **\$100,000,000.00** of gross proceeds.

True Interest Cost of the Bonds. The Placement Agent has informed the City that, assuming that the Estimated Principal Amount of the Bonds is sold, and based on market interest rates prevailing at the time of preparation of such estimate, its good faith estimate of the true interest cost of the Bonds, which means the rate necessary to discount the amounts payable on the respective principal and interest payment dates to the purchase price received for the Bonds, is **4.99%**.

Finance Charge of the Bonds. The Placement Agent has informed the City that, assuming that the Estimated Principal Amount of the Bonds is sold, and based on market interest rates prevailing at the time of preparation of such estimate and inclusive of costs attributable to the purchase of a bond insurance or reserve surety policy (which the City would purchase only if the cost of such insurance premiums were less than the interest cost savings attributable thereto), its good faith estimate of the finance charge for the Bonds, which means the sum of all fees and charges paid to third parties (or costs associated with the Bonds), is **\$556,000.00**.

Amount of Proceeds to be Received. The Placement Agent has informed the City that, assuming that the Estimated Principal Amount of the Bonds is sold, and based on market interest rates prevailing at the time of preparation of such estimate, its good faith estimate of the amount of proceeds expected to be received by the City for the sale of the Bonds, less the finance charge of the Bonds, as estimated above, and any reserves or capitalized interest paid or funded with proceeds of the Bonds, is **\$99,460,000.00**.

Total Payment Amount. The Placement Agent has informed the City that, assuming that the Estimated Principal Amount of the Bonds is sold, and based on market interest rates prevailing at the time of preparation of such estimate, its good faith estimate of the total payment amount, which means the sum total of all payments the City will make to pay debt service on the Bonds, plus the finance charge for the Bonds, as described above, not paid with the proceeds of the Bonds, calculated to the mandatory tender date

of the Bonds (being March 1, 2026), is **\$115,485,250** (excluding any offsets from any reserves or capitalized interest).

The foregoing estimates constitute good faith estimates only. The actual principal amount of the Bonds issued and sold, the true interest cost thereof, the finance charges thereof, the amount of proceeds received therefrom and total payment amount with respect thereto may differ from such good faith estimates due to (a) the actual date of the sale of the Bonds being different than the date assumed for purposes of such estimates, (b) the actual principal amount of Bonds sold being different from the Estimated Principal Amount, (c) the actual amortization of the Bonds being different than the amortization assumed for purposes of such estimates, (d) the actual market interest rates at the time of sale of the Bonds being different than those estimated for purposes of such estimates, (e) other market conditions, or (f) alterations in the financing plan or finance charges, or a combination of such factors. Market interest rates are affected by economic and other factors beyond the control of the City.