

**ONTARIO CITY COUNCIL/
ONTARIO HOUSING AUTHORITY
MINUTES
March 19, 2019**

JOINT MEETINGS

Regular meetings of the Ontario City Council/Ontario Housing Authority were held on Tuesday, March 19, 2019, at the Ontario City Hall, 303 East B Street, Ontario, California.

CALL TO ORDER

Mayor Leon called the City Council and Housing Authority meetings to order at 6:31 p.m.

PRESENT: Mayor/Chairman: Paul S. Leon
Mayor pro Tem/Vice Chairman: Ruben Valencia
Council/Authority Members: Jim W. Bowman and
Debra Dorst-Porada

ABSENT: Council/Authority Members: Alan D. Wapner

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

The Pledge of Allegiance was led by Council Member Bowman.

The Invocation was provided by *Dr. Juan Williams Sr.*, representing Ontario Christian Center.

PUBLIC COMMENTS

William Torres expressed concern with an encounter he experienced with an Ontario police officer. City Manager Ochoa referred him to Deputy Police Chief Lorenz.

Heather Raymond spoke on behalf of the Promise Scholars Program, and thanked the City Council for their ongoing support of the program. She explained that through the partnership with the City, they are able to serve 14,000 students with efforts such as the Reindeer Run and City staff serving as role models during the business leader classroom presentations. She also noted that Promise Scholars works in partnership with community colleges to promote career preparedness after high school.

Laura Ramirez noted that she is a volunteer for Promise Scholars, a student at Chaffey College and a Police Explorer. She commented that Promise Scholars has opened doors for many students like herself and relieves the stress of paying for school for many parents. She encouraged other students to "never give up and always follow their dreams".

Raelyne Moreno distributed thank you gifts to the City Council and thanked them for their support of Promise Scholars. She explained her position as an Americorps working with students at Chaffey High School and described some of the programming.

Cherry Dobbs, Museum Associate, announced the upcoming Arts & Culture Awards event to be held at the Ontario Museum of History and Art on April 25, 2019 at 5:30 p.m. She explained that the event will be honoring artist Tony Sheets, cultural organization The Sam and Alfreda Maloof Foundation, and Patron of Arts and Culture Randall Lewis and the Lewis Family; with dinner and access to a new art exhibit.

AGENDA REVIEW/ANNOUNCEMENTS

City Manager Ochoa advised that there were no additions or announcements.

CONSENT CALENDAR

MOTION: Moved by Council Member Bowman, seconded by Mayor pro Tem Valencia and carried by unanimous vote of those present, with Council Member Wapner absent to approve the Consent Calendar as presented.

1. APPROVAL OF MINUTES

City Council approved Minutes for the regular meeting of the City Council and Housing Authority of February 19, 2019, and the special meeting of the City Council and Housing Authority of February 8, 2019, as on file in the Records Management Department.

2. BILLS/PAYROLL

City Council approved **Bills** for the period January 27, 2019 through February 9, 2019 in the amount of \$12,016,984.51 and **Payroll** for the period January 27, 2019 through February 9, 2019, in the amount of \$3,478,871.60 when audited by the Finance Committee.

3. RESOLUTIONS APPROVING TIME EXTENSIONS FOR TENTATIVE TRACT MAP NOS. 17449 (FILE NO. PMTT10-002) AND 17450 (FILE NO. PMTT10-001) WITHIN THE COUNTRYSIDE SPECIFIC PLAN

City Council adopted resolutions approving a five-year time extension for:

- (A) Tentative Tract Map 17449 (File No. PMTT10-002) to subdivide 18.72 acres of land into 97 numbered lots and 15 lettered lots within the Z-Lot (Neighborhood 5) land use designation of the Countryside Side Specific Plan, located south of Chino Avenue, north of the SCE utility corridor and

east of the Cucamonga Creek Channel (APN Nos. 0218-131-12 and 0218-131-22); and

- (B) Tentative Tract Map 17450 (File No. PMTT10-001) to subdivide 16.82 acres of land into 138 numbered lots and 16 lettered lots within the Cluster Court (Neighborhood 6) land use designation of the Countryside Specific plan, located south of Chino Avenue, east of the Cucamonga Creek Channel, and northwest of the Lower Deer Creek Channel (APN Nos. 0218-131-11, 0218-131-12, 0218-131-22, 0218-131-40, and 0218-131-43).

RESOLUTION NO. 2019-019 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING A FIVE-YEAR TIME EXTENSION FOR FILE NO. PMTT10-001 (TT 17450), A REQUEST TO SUBDIVIDE 16.82 ACRES OF LAND INTO 138 NUMBERED LOTS AND 16 LETTERED LOTS WITHIN THE CLUSTER COURT (NEIGHBORHOOD 6) LAND USE DESIGNATION OF THE COUNTRYSIDE SPECIFIC PLAN, LOCATED SOUTH OF CHINO AVENUE, EAST OF THE CUCAMONGA CREEK FLOOD CHANNEL, AND NORTHWEST OF THE LOWER DEER CREEK CHANNEL, AND MAKING FINDINGS IN SUPPORT THEREOF – APNS: 0218-131-11, 0218-131-12, 0218-131-22, 0218-131-40, AND 0218-131-43.

RESOLUTION NO. 2019-020 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING A FIVE-YEAR TIME EXTENSION FOR FILE NO. PMTT10-002 (TT 17449), A REQUEST TO SUBDIVIDE 18.72 ACRES OF LAND INTO 97 NUMBERED LOTS AND 15 LETTERED LOTS WITHIN THE Z-LOT (NEIGHBORHOOD 5) LAND USE DESIGNATION OF THE COUNTRYSIDE SPECIFIC PLAN, LOCATED SOUTH OF CHINO AVENUE, NORTH OF THE SCE UTILITY CORRIDOR, AND EAST OF THE CUCAMONGA CREEK FLOOD CHANNEL, AND MAKING FINDINGS IN SUPPORT THEREOF APNS: 0218-131-12 AND 0218-131-22.

4. 2018 HOUSING ELEMENT ANNUAL PROGRESS REPORT

City Council approved resolution authorizing staff to transmit the 2018 Housing Element Annual Progress Report to the California Department of Housing and Community Development and the Office of Planning and Research.

RESOLUTION NO. 2019-021 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING THE 2018 HOUSING ELEMENT ANNUAL PROGRESS REPORT (FILE NO. PADV19-002) AND AUTHORIZING STAFF TO SUBMIT THE REPORT TO THE CALIFORNIA DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT AND THE OFFICE OF PLANNING AND RESEARCH.

MOTION UNANIMOUSLY CARRIED: Mayor Leon declared Resolution Nos. 2019-019, 2019-020 and 2019-021 unanimously adopted.

PUBLIC HEARINGS

5. A PUBLIC HEARING TO CONSIDER RESOLUTIONS REGARDING THE FORMATION OF CITY OF ONTARIO COMMUNITY FACILITIES DISTRICT NO. 48 (TEVELDE SERVICES) AND INTRODUCTION OF AN ORDINANCE LEVYING SPECIAL TAXES

City Council:

- (A) Adopted a resolution establishing Community Facilities District No. 48 (Tevelde Services), authorizing the levy of special taxes within the community facilities district, and establishing an appropriations limit for the community facilities district;
- (B) Adopted a resolution calling a special election for City of Ontario Community Facilities District No. 48 (Tevelde Services);
- (C) Adopted a resolution declaring the results of the special election and directing the recording of a Notice of Special Tax Lien; and
- (D) Introduced and waived further reading of an ordinance levying special taxes within City of Ontario Community Facilities District No. 48 (Tevelde Services).

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

There were no written communications.

Mayor Leon opened the public hearing asking those persons interested in this item to speak. Hearing no one, Mayor Leon closed the public hearing.

MOTION: Moved by Council Member Bowman, seconded by Council Member Dorst-Porada and carried by unanimous vote of those present, with Council Member Wapner absent to adopt Resolution Nos. 2019-022 and 2019-023.

RESOLUTION NO. 2019-022 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, OF FORMATION OF THE CITY OF ONTARIO COMMUNITY FACILITIES DISTRICT NO. 48 (TEVELDE SERVICES), AUTHORIZING THE LEVY OF A SPECIAL TAX WITHIN THE COMMUNITY FACILITIES DISTRICT AND ESTABLISHING AN APPROPRIATIONS LIMIT FOR THE COMMUNITY FACILITIES DISTRICT.

RESOLUTION NO. 2019-023 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, CALLING SPECIAL ELECTION FOR CITY OF ONTARIO COMMUNITY FACILITIES DISTRICT NO. 48 (TEVELDE SERVICES).

Assistant City Clerk Kasad opened the one ballot submitted and announced that it was in favor of the formation of the Community Facilities District.

MOTION: Moved by Council Member Dorst-Porada, seconded by Council Member Bowman and carried by unanimous vote of those present with Council Member Wapner absent to adopt Resolution No. 2019-024.

RESOLUTION NO. 2019-024 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, DECLARING RESULTS OF SPECIAL ELECTION AND DIRECTING RECORDING OF NOTICE OF SPECIAL TAX LIEN.

MOTION: Moved by Mayor pro Tem Valencia, seconded by Council Member Dorst-Porada and carried by unanimous vote of those present, with Council Member Wapner absent to introduce and waive further reading of Ordinance No. 3127.

ORDINANCE NO. 3127 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, LEVYING SPECIAL TAXES WITHIN THE CITY OF ONTARIO COMMUNITY FACILITIES DISTRICT NO. 48 (TEVELDE SERVICES).

6. **A PUBLIC HEARING TO CONSIDER A PLANNED UNIT DEVELOPMENT (FILE NO. PUD17-003) TO ESTABLISH LAND USE DESIGNATIONS AND DEVELOPMENT STANDARDS FOR THE DEVELOPMENT OF 2.6 ACRES OF LAND LOCATED AT THE NORTHWEST CORNER OF HOLT BOULEVARD AND GROVE AVENUE, WITHIN THE MU-2 (EAST HOLT MIXED-USE) ZONING DISTRICT (APNS: 1048-472-16, 1048-472-17, 1048-472-19, 1048-472-20, AND 1048-472-21)**

City Council introduced and waived further reading of an ordinance approving a Planned Unit Development, File No. PUD17-003, establishing development standards and guidelines to facilitate the development of a commercial center located at the northwest corner of Holt Boulevard and Grove Avenue.

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

There were no written communications.

Mayor Leon opened the public hearing asking those persons interested in this item to speak. Hearing no one, Mayor Leon closed the public hearing.

MOTION: Moved by Council Member Bowman, seconded by Council Member Dorst-Porada and carried by unanimous vote of those present, with Council Member Wapner absent to introduce and waiver further reading of Ordinance No. 3128.

ORDINANCE NO. 3128 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING FILE NO. PUD17-003, A PLANNED UNIT DEVELOPMENT TO ESTABLISH LAND USE DESIGNATIONS AND DEVELOPMENT STANDARDS AND GUIDELINES FOR THE DEVELOPMENT OF 2.6 ACRES OF LAND, LOCATED AT THE NORTHWEST CORNER OF HOLT BOULEVARD AND GROVE AVENUE; WITHIN THE MU-2 (EAST HOLT MIXED-USE) ZONING DISTRICT, AND MAKING FINDINGS IN SUPPORT THEREOF—APNS: 1048-472-16, 1048-472-17, 1048-472-19, 1048-472-20, AND 1048-472-21.

7. A PUBLIC HEARING TO CONSIDER AN ORDINANCE APPROVING A DEVELOPMENT CODE AMENDMENT (FILE NO. PDCA19-001) CLARIFYING CURRENT PROVISIONS ADDRESSING THE PROCESSING OF WIRELESS TELECOMMUNICATIONS FACILITIES, AND ADDING PROVISIONS GOVERNING SMALL CELL WIRELESS FACILITIES AND THE ALTERATION AND/OR EXPANSION OF EXISTING WIRELESS TELECOMMUNICATIONS FACILITIES, CONSISTENT WITH FCC ORDERS

City Council introduced and waived further reading of an ordinance approving File No. PDCA19-001, a Development Code Amendment clarifying current provisions addressing the processing of wireless telecommunications facilities, and adding provisions governing small cell wireless facilities and the alteration and/or expansion of existing wireless telecommunications facilities.

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

There was no written communications.

Mayor Leon opened the public hearing asking those persons interested in this item to speak. Hearing no one, Mayor Leon closed the public hearing.

MOTION; Moved by Council Member Bowman, seconded by Mayor pro Tem Valencia and carried by unanimous vote of those present, with Council Member Wapner absent to introduce and waive further reading of Ordinance No. 3129.

ORDINANCE NO. 3129 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING FILE NO. PDCA19-001, A DEVELOPMENT CODE AMENDMENT REVISING SECTION 5.03.420.A.1 FOR THE PURPOSE OF CLARIFYING CURRENT PROVISIONS ADDRESSING THE PROCESSING OF WIRELESS TELECOMMUNICATIONS FACILITIES, AND CONSISTENT WITH FCC ORDERS, ADD PROVISIONS GOVERNING SMALL CELL WIRELESS FACILITIES AND THE ALTERATION AND/OR EXPANSION OF EXISTING WIRELESS TELECOMMUNICATIONS FACILITIES, AND MAKING FINDINGS IN SUPPORT THEREOF.

ADMINISTRATIVE REPOTS/DISCUSSION/ACITON

8. A RESOLUTION AUTHORIZING THE ISSUANCE OF MULTIFAMILY HOUSING BONDS AND RELATED BOND DOCUMENTS FOR THE ACQUISITION AND CONSTRUCTION OF VISTA VERDE APARTMENTS (A/K/A VIRGINIA/HOLT MULTIFAMILY AFFORDABLE HOUSING PROJECT), LOCATED ON LAND BORDERED BY HOLT BOULEVARD ON THE SOUTH, RESIDENTALLY DEVELOPED PROPERTIES ON THE EAST, NOCTA STREET ON THE NORTH, AND VIRGINIA AVENUE ON THE WEST; AND A RESOLUTION APPROVING THE TRANSFORMATIVE CLIMATE COMMUNITIES LOAN AGREEMENT BETWEEN THE CITY OF ONTARIO AND VIRGINIA–HOLT HOUSING, LP

City Council took the following actions:

- (A) Adopted a resolution authorizing the issuance of multifamily housing revenue bonds in an amount not to exceed \$23,000,000 for the purpose of financing the acquisition and construction of Vista Verde Apartments (the “Development”), approving and authorizing the execution and delivery of any and all documents necessary to issue the bonds and implement the resolution, and ratifying and approving any action heretofore taken in connection with the bonds; and
- (B) Adopted a resolution approving the Transformative Climate Communities Loan Agreement (the “TCC Loan Agreement”) between the City of Ontario (the “City”) and Virginia-Holt Housing, LP approving a loan in the amount of \$14,729,325 (the “TCC Loan”).

MOTION: Moved by Council Member Dorst-Porada, seconded by Council Member Bowman and carried by unanimous vote of those present, with Council Member Wapner absent to adopt Resolution Nos. 2019-025 and 2019-026.

RESOLUTION NO. 2019-025 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, AUTHORIZING THE ISSUANCE, SALE AND DELIVERY OF MULTIFAMILY HOUSING REVENUE BONDS RELATED TO THE FINANCING OF VISTA VERDE APARTMENTS, AUTHORIZING THE EXECUTION AND DELIVERY OF RELATED DOCUMENTS, AND APPROVING ACTIONS IN CONNECTION THEREWITH.

RESOLUTION NO. 2019-026 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING THE TRANSFORMATIVE CLIMATE COMMUNITIES LOAN AGREEMENT BETWEEN THE CITY OF ONTARIO AND VIRGINIA–HOLT HOUSING, LP, PROVIDING PERMANENT FINANCING FOR THE VISTA VERDE APARTMENTS PROJECT (AKA THE VIRGINIA/HOLT MULTIFAMILY AFFORDABLE HOUSING PROJECT).

9. A RESOLUTION AUTHORIZING THE ISSUANCE OF SPECIAL TAX BONDS FOR COMMUNITY FACILITIES DISTRICT NO. 38 (PARK & TURNER NE FACILITIES)

City Council considered a resolution authorizing the issuance of special tax bonds for Community Facilities District No. 38 (Park & Turner NE Facilities). The resolution:

- (A) Authorized the issuance of special tax bonds for public improvements required to facilitate the development of the Park & Turner NE project;
- (B) Approved the forms of the Indenture of Trust, the Bond Purchase Agreement, the Continuing Disclosure Agreement, and the Preliminary Official Statement;
- (C) Authorized a negotiated sale of the special tax bonds to Stifel, Nicolaus & Company, Incorporated (the “Underwriter”) in accordance with the terms of the Bond Purchase Agreement; and
- (D) Authorized the execution of the Indenture of Trust, the Bond Purchase Agreement, the Continuing Disclosure Agreement, and the Preliminary Official Statement by the City Manager, or his designee.

MOTION: Moved by Council Member Dorst-Porada, seconded by Mayor pro Tem Valencia and carried by unanimous vote of those present, with Council Member Wapner absent to adopt Resolution No. 2019-027.

RESOLUTION NO. 2019-027 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, AUTHORIZING THE ISSUANCE OF CITY OF ONTARIO COMMUNITY FACILITIES DISTRICT NO. 38 (PARK & TURNER NE FACILITIES) SPECIAL TAX BONDS, SERIES 2019, IN AN AGGREGATE PRINCIPAL AMOUNT OF NOT TO EXCEED \$12,000,000, AUTHORIZING THE EXECUTION AND DELIVERY OF AN INDENTURE, A BOND PURCHASE AGREEMENT AND A CONTINUING DISCLOSURE AGREEMENT, AUTHORIZING THE DISTRIBUTION OF AN OFFICIAL STATEMENT IN CONNECTION THEREWITH AND AUTHORIZING THE EXECUTION OF NECESSARY DOCUMENTS AND CERTIFICATES AND RELATED ACTIONS.

STAFF MATTERS

City Manager Ochoa noted the recent passing of Planning Commissioner Delman and recommended anyone wishing to serve as Commissioner to check the City Clerk’s Office web page for an application.

COUNCIL MATTERS

Mayor pro Tem Valencia noted that he attended career day at Colony High School and was pleased to see Police, Fire and City staff participating. He also noted that he attended Western Little League Opening Day and it was a great day. He wished David Allen, who was present in the audience, a Happy Birthday.

Council Member Bowman commented on the upcoming State of the City event to be held on March 20, 2019 and encouraged everyone to attend.

Council Member Dorst-Porada asked that through the Promise Scholars program consideration be given to providing a list of possible vocations to 9th and 10th graders so they could plan for and obtain associated training through the program. She suggested that this would help student to more easily find direction in life. She also noted that she and Mayor Leon attended the Tot Olympics over the weekend and commented on the childrens' enjoyment as participants. She further noted the success of the collaborative program between the Ontario Fire Department and the American Red Cross that recently installed new smoke alarms in residences at the Lamplighter Mobile Home Park.

Mayor Leon commented on the use of social media and people's expectations for the City Council to monitor and respond to posts. He suggested the public use the "MyOntario" smartphone app to report things such as potholes to assure proper reporting and quick response.

ADJOURNMENT

Mayor Leon adjourned the meetings of the Joint Agencies at 7:05 p.m. and announced the next regular meetings to be held on Tuesday, April 2, 2019.

Respectfully submitted,


SHEILA MAUTZ, CITY CLERK/SECRETARY

APPROVED:


PAUL S. LEON, MAYOR/CHAIRMAN