

**MINUTES OF THE CITY OF FONTANA  
REGULAR HOUSING AUTHORITY MEETING  
November 24, 2015  
Grover W. Taylor Council Chambers**

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**CALL TO ORDER/ROLL CALL:**

**A. 7:00 P.M. Call the Meeting to Order**

The Regular Meeting of the City of Fontana Housing Authority was held on Tuesday, November 24, 2015, in the Grover W. Taylor Council Chambers, 8353 Sierra Avenue, Fontana, California. Chairperson Salazar-Wibert called the meeting to order at 8:30 p.m.

**ROLL CALL:**

Present: Chair Salazar-Wibert and Authority Members Warren, Tahan, Roberts and Sandoval.

Absent: None.

**PUBLIC COMMUNICATIONS:**

**A. Public Communications**

Ms. Fran Givens, Fontana resident, spoke on new apartment buildings and that grab bars needed to be installed in the buildings to assist the disabled.

**CONSENT CALENDAR:**

**A. Approval of Minutes**

**ACTION:** Motion was made by Authority Member Tahan, seconded by Authority Member Sandoval, and passed unanimously by a vote of 5-0 to approve Consent Calendar Item "A" (AYES: Warren, Tahan, Roberts, Salazar-Wibert and Sandoval; NOES: None) as follows:

Approve the Minutes of the October 27, 2015, Regular Housing Authority Meeting.

**B. First Amendment of the Disposition and Development Agreement (Fontana Sierra Housing Partners)**

Administrative Services Deputy City Manager David Edgar provided the staff report.

Authority Member Warren recused herself from the dais during the discussion of Consent Calendar Item "CC-B".

Authority Member Tahan asked what was the amount that the City would be contributing to the project.

Deputy City Manager Edgar stated that the original gap loan was \$4.4 million and with the increase the amount would go to \$5.0 million.

Authority Member Tahan stated that more money was requested but less units were to be provided. Mr. Tahan asked why the developer was not providing the extra money.

Mr. Edgar stated that the requested increase was to provide more leverage, so that the City could remain competitive in the process.

Discussion ensued regarding refinancing of the loan.

Chairperson Salazar-Wibert stated that the agenda item indicated that there was no fiscal impact but yet there is a \$600,000 loan.

Mr. Edgar stated that it is a \$600,000 increase to the gap loan and the overall gap loan would rise to \$5.0 million if the City were successful in receiving tax credit financing. The application is due to be submitted in March 2016. Under the terms of the original agreement, the developer is entitled to four rounds of tax credits; two rounds in calendar year 2016 and two rounds in calendar year 2017. The City's best opportunity to win is to submit in the first round in 2016.

Authority Member Sandoval stated that when the project was approved there were 81 units at \$4.4 million. Mr. Sandoval added that the City was getting less units and more money was being requested. If there are less units, then the requested funds should come out of the \$4.4 million.

Mr. Edgar stated that the additional money was to give the City a competitive edge and a better score. Mr. Edgar added that ultimately the project would be ranked by the state and only the top two would be considered.

Authority Member Sandoval stated that for \$4.4 million the City was getting less units and additional money was being requested.

Discussion ensued regarding the number of units and the cost.

City Manager Ken Hunt asked what were the issues at the Planning Commission that changed the number of units.

Community Development Director James Troyer stated that because it was an affordable housing project, under the state density bonus law, the developer gets relief from three separate regulations in the development code. When the developer submitted the 81 unit project, they were applying for a significant relief of the parking standards. Upon staff review, the amount of parking that was being provided and considering that the project was fronting on a residential neighborhood, staff recommended to the Planning Commission relief from the parking standards.

Chairperson Salazar-Wibert inquired that when the Planning Commission made a change, did the item come before the City Council.

Mr. Troyer stated that the City Council makes the final decision on the project because of the general plan amendment.

Discussion ensued regarding design review approval by the Planning Commission and general plan amendment approval by the City Council, which is a legislative act.

City Manager Hunt clarified that the change made by the Planning Commission did not cost the City more money. Because of the parking issue, the Planning Commission reduced the number of units from 81 units to 69 units. If the City contributed another \$600,000 to the project, it would make the City eligible.

Discussion ensued regarding the original project and what had changed at the Planning Commission.

Mr. Hunt added that what had changed was that the state tax credit came out with their criteria and because of that change, staff was suggesting that the agreement be modified; otherwise, there may not be a project.

City Attorney Jeff Ballinger stated that the Development and Disposition Agreement (DDA) usually provided that the developer go through the land use process. The developer went through a general plan amendment and design review process. The financial component had changed based on the state credit criteria and the developer had asked that it be brought back to the City Council.

Chairperson Salazar-Wibert stated that frustration had been expressed by Mr. Tahan and Mr. Sandoval and initially there had been enough money, and then an issue with the parking came up. Mrs. Salazar-Wibert added that perhaps the item should have been brought forward to the City Council at an earlier time.

Authority Member Tahan stated that he could not support the staff recommendation or the process. Mr. Tahan added that a decision had been made and now the City had to spend more money after approving the original project.

**ACTION:** Motion was made by Authority Member Tahan, seconded by Authority Member Sandoval, and passed by a vote of 3-1-1 to reject Consent Calendar Item "CC-B" (AYES: Tahan, Sandoval, Salazar-Wibert; NOES: Roberts; ABSTAIN: Warren) as follows:

Approve the First Amendment of the Disposition and Development Agreement between the Fontana Housing Authority and Fontana Sierra Housing Partners, L.P. to effectuate development of a 69-Unit Affordable Apartment Community on Sierra Avenue and Authorize the Executive Director to execute any documents necessary to effectuate said approval.

## **ELECTED OFFICIALS COMMUNICATIONS/COMMITTEE REPORTS:**

### **A. Elected Officials Communications/Committee Reports**

Authority Member Tahan stated that perhaps the role of the Planning Commission needed to be reviewed and brought back to the City Council to discuss the authority on the size of the buildings and about rejecting or approving it.

City Manager Hunt stated that currently the City had policies for the City Council to act as Planning Commission.

City Attorney Ballinger stated that if the City Council would like to have a summary brought back

on what happens at the Planning Commission then the City Council can give direction on that.

Authority Member Warren stated that training was needed on what the City Council's role was.

Authority Member Tahan asked for a consensus to bring the item back for discussion about the role of the Planning Commission and the Director.

Authority Member Roberts stated that an analysis of review for each level was being requested--City Council, Planning Commission and staff--and who was permitted to do what. Mr. Roberts added that the other request was for training and did not have an issue about providing the information.

Authority Member Sandoval concurred with having a workshop.

Chairperson Salazar-Wibert agreed on having a workshop.

Authority Member Tahan asked that the Planning Commission be included.

City Manager Hunt asked whether the consensus was to have a joint meeting with the Planning Commission.

Authority Member Warren stated to start with the City Council.

Authority Member Sandoval agreed with starting with the City Council and having the information come back to the City Council and then meeting with the Planning Commission.

There were no other Elected Officials Communications/Committee Reports received.

## **EXECUTIVE DIRECTOR'S COMMUNICATIONS:**

### **A. Executive Director Communications**

There were no Executive Director Communications received.

## **ADJOURNMENT:**

The Housing Authority meeting adjourned by consensus at 9:07 p.m.



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Tonia Lewis  
Authority Clerk



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Lydia Salazar-Wibert  
Chairperson