

**MINUTES OF THE  
CITY OF FONTANA  
REDEVELOPMENT AGENCY  
REGULAR MEETING  
APRIL 28, 2010**

A Regular Meeting of the City of Fontana Redevelopment Agency was held on Wednesday, April 28, 2010, in the City Hall Council Chambers, 8353 Sierra Avenue, Fontana, California. Chairperson Warren called the meeting to order at 11:06 p.m.

Present: Chairperson Warren, and Agency Members Nuaimi, Roberts, and Rutherford.

Absent: Agency Member Scialdone.

**SPECIAL PRESENTATIONS:** None

**PUBLIC COMMUNICATIONS:** None

**CONSENT CALENDAR**

**ACTION:** Motion was made by Agency Member Nuaimi, seconded by Agency Member Rutherford, and carried unanimously by vote of 4-0, approving Consent Calendar Items "A-B" as follows:

- A. Approve the minutes of the April 14, 2010, Regular Meeting of the Fontana Redevelopment Agency.
- B. Supplemental Educational Revenue Augmentation Fund (SERAF) Obligation for Fiscal Year 2009-10.  
Adopt **Resolution No. FRA 2010-07**, a Resolution of the Fontana Redevelopment Agency finding there are insufficient other moneys to meet the requirements of Section 33690 of the California Health and Safety Code and that a portion of the Agency's allocation to the Educational Revenue Augmentation Fund shall be paid from the Agency's Low and Moderate Income Housing Funds.

Staff presentation was given by Management Services Director Lisa Strong.

City Attorney Stephen Deitsch stated that one letter has been received for the record from the Western Center on Law and Poverty, clarified that the staff report is sufficient, and suggested the following **bold** revisions to the resolution title and Sections 1 and 2 in the resolution language:

Resolution Title - A Resolution of the Fontana Redevelopment Agency finding there are insufficient other moneys to meet the requirements of Section **33690** of the California Health and Safety Code and that a portion

of the Agency's allocation to the Educational Revenue Augmentation Fund shall be paid from the Agency's Low and Moderate Income Housing Funds.

Section 1. The Agency hereby finds **pursuant to Health and Safety Code Section 33690** that it has insufficient non-obligated other moneys to pay the SERAF obligation and finds it necessary to borrow from the Low and Moderate Income Housing Fund to fully pay the allocation of \$33,493,851.

Section 2. **Conditioned upon there being no stay issued by a court of competent jurisdiction regarding the Agency's statutory obligation to make the SERAF payment**, the Agency hereby loans \$17,750,000 from the Low and Moderate Income Housing Funds to pay a portion of the SERAF obligation due May 10, 2010 and directs that the loan be repaid in full on or before June 30, 2015.

**PUBLIC HEARING:**

The following Joint Public Hearing was held earlier this evening during the City Council Meeting.

- A. A Joint Public Hearing between the City Council and the Redevelopment Agency was opened regarding Amendment No. 9 to the Redevelopment Plan for the Southwest Industrial Park (SWIP) Project Area.

A brief recess was taken from 8:35-8:48 p.m.

Staff presentation was given by Community Development Director Don Williams and Redevelopment Analyst Evelyne Ssenkoloto.

Agency Consultants from RSG and RBF, as well as SWIP #9 Project Area Committee (PAC) Members, were announced present, with Vice Chair David Eshleman representing the SWIP #9 PAC.

RSG Agency Consultant Felise Acosta provided a summary of the City Council Report.

RBF Agency Consultant Kevin Thomas provided a summary of the Program Environmental Impact Report.

Redevelopment Analyst Evelyne Ssenkoloto stated for the record that City Clerk Lewis had received the following documents to place into the written record:

- Proof of Publication of Public Hearing Notice
- Copy of Affidavit of Mailing of Notice to Affected Taxing Entities

- Copy of Affidavit of Mailing of Notice to the California State Department of Finance and the California Department of Housing and Community Development
- Copy of Affidavit of Mailing Notice of Public Hearing to all SWIP Project Area Property Owners, and, Where Available, all Residents and Businesses
- Report to the City Council
- Program Environmental Impact Report
- Amended and Restated Redevelopment Plan for the Southwest Industrial Park Project Area)

Redevelopment Analyst Evelyne Ssenkoloto stated for the record that two written communications were received from Mr. Bill Holiday and Mr. Stephen W. Rogers from P.E. Consulting.

Community Development Director Don Williams stated that the Redevelopment Plan for the Southwest Industrial Park Project Area was a financial tool to collect property tax revenue and deliver community improvements.

City Manager/Executive Director Kenneth Hunt clarified that eminent domain has not been significantly utilized by the Redevelopment Agency.

David Eshleman spoke as Vice Chair of the SWIP #9 PAC, announced PAC Member present, discussed the recommendations that resulted from seven PAC meetings, and spoke in support of Amendment No. 9 to the Redevelopment Plan for the SWIP Project Area.

Mayor/Agency Member Nuaimi stated that Exhibit E-2 to the written staff report included information regarding property tax revenue.

Jonnie Long, SWIP #9 PAC member, spoke regarding SWIP #9 PAC meetings, SWIP Project Areas, and in support of Amendment No. 9 to the Redevelopment Plan for the SWIP Project Area.

Jeff Nadelman, SWIP #9 PAC member, spoke in support of eminent domain and regarding City land use matters.

Council Member/Agency Member Warren arrived at 9:47 p.m.

Randy Castle spoke in opposition of Amendment No. 9 to the Redevelopment Plan for the SWIP Project Area.

Sal Lopez spoke in opposition of Amendment No. 9 to the Redevelopment Plan for the SWIP Project Area and regarding the County's Speedway Redevelopment Agency. A letter was submitted for the record.

Elizabeth Lopez spoke regarding redevelopment awareness and in opposition of Amendment No. 9 to the Redevelopment Plan for the SWIP Project Area. A letter was submitted for the record.

Lina Montes spoke regarding annexed properties in the SWIP Project Area and in opposition of Amendment No. 9 to the Redevelopment Plan for the SWIP Project Area.

Adriana Flores spoke regarding awareness of the proposed Amendment No. 9 to the Redevelopment Plan for the SWIP Project Area, upside-down housing mortgages, and housing relocations.

Greg Tonkinson spoke regarding signatures of landowners and businesses that are being collected in the SWIP Project Area and in opposition of Amendment No. 9 to the Redevelopment Plan for the SWIP Project Area.

Bobbi Jo Chavarria spoke regarding community awareness and in opposition of Amendment No. 9 to the Redevelopment Plan for the SWIP Project Area.

Lynda Dykes spoke in opposition of Amendment No. 9 to the Redevelopment Plan for the SWIP Project Area.

Jacqueline Gordon spoke regarding community awareness for Amendment No. 9 to the Redevelopment Plan for the SWIP Project Area.

Ann Knickerbocker spoke in opposition of Amendment No. 9 to the Redevelopment Plan for the SWIP Project Area and regarding annexations.

No one else spoke in favor or opposition.

Four written letters were received in opposition of Amendment No. 9 to the Redevelopment Plan for the SWIP Project Area from Bill Holiday, Stephen Rogers, Sal Lopez, and Elizabeth Lopez.

**ACTION:** Motion was made by Council Member/Agency Vice Chair Roberts, seconded by Council Member/Agency Member Rutherford, and carried unanimously by vote of 4-0 by the City Council and Redevelopment Agency to close the joint public hearing.

**ACTION:** Motion was made by Council Member/Agency Vice Chair Roberts, seconded by Council Member/Agency Member Rutherford, and carried unanimously by vote of 3-0, with Council Member/Agency Member Warren absent, for the City Council and Redevelopment Agency to:

- (1) Appoint a subcommittee with members Mayor Nuaimi and Council Member/Agency Member Rutherford to meet on Thursday, May 13, 2010, at 6 p.m. at the Hilton Hotel located on Slover and Sierra Avenues. The subcommittee will address community comments and concerns related to Amendment No. 9 to the Redevelopment Plan for the Southwest Industrial Park Project Area. Information on the meeting will be posted on the City website.
- (2) Receive and consider all evidence concerning Amendment No. 9 to the Redevelopment Plan for the Southwest Industrial Park Project Area.
- (3) Direct staff to prepare written responses to written objections received prior to and during the Joint Public Hearing and present such responses to the City Council and the Redevelopment Agency for consideration on May 26, 2010, Joint Public Hearing.
- (4) Direct that further actions are to resume at the meeting of May 26, 2010.

**UNFINISHED BUSINESS:** None

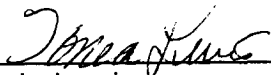
**NEW BUSINESS:** None

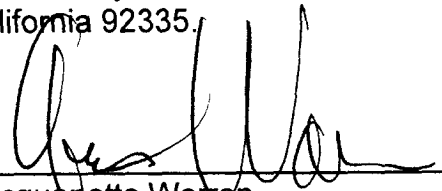
**ELECTED OFFICIALS COMMUNICATIONS/COMMITTEE REPORTS:** None

**EXECUTIVE DIRECTOR COMMUNICATIONS:** None

**ADJOURNMENT**

The Redevelopment Agency meeting adjourned at 11:19 p.m. to the next regular meeting on Wednesday, May 12, 2010, at 7:00 p.m. City of Fontana, Council Chambers, located at 8353 Sierra Avenue, Fontana, California 92335.

  
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Tonia Lewis  
Agency Secretary

  
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Acquarretta Warren  
Chairperson