

**MINUTES OF THE CITY COUNCIL  
OF THE CITY OF FONTANA  
ADJOURNED CITY COUNCIL MEETING  
May 16, 2016**

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**CLOSED SESSION:**

**A. 5:00 P.M. CLOSED SESSION**

A Closed Session was held at 5:00 p.m. in the City Hall Executive Conference Room with Mayor Warren, Mayor Pro Tem Salazar-Wibert and Council Members Roberts, Tahan and Sandoval present.

**PUBLIC COMMUNICATION:**

There were no public communications received on the following Closed Session Item:

**CONFERENCE WITH LEGAL COUNSEL-ANTICIPATED LITIGATION**

Initiation of litigation pursuant to paragraph (4) of subdivision (d) of Section 54956.9: (one (1) potential case)

**CALL TO ORDER/ROLL CALL:**

**A. 5:30 P.M. Call the Meeting to Order**

The Adjourned Regular Meeting of the City Council was held on Monday, May 16, 2016, in the Grover W. Taylor Council Chambers, 8353 Sierra Avenue, Fontana, California. Mayor Warren called the meeting to order at 5:35 p.m.

**ROLL CALL:**

Present: Mayor Warren, Mayor Pro Tem Salazar-Wibert and Council Members Roberts, Tahan and Sandoval.

Absent: None.

**INVOCATION/PLEDGE OF ALLEGIANCE:**

Following the Invocation by Mayor Warren, the Pledge of Allegiance was led by Council Member Roberts.

**CLOSED SESSION ANNOUNCEMENT:**

City Attorney Jeff Ballinger announced that there was no reportable action on the Closed Session Item.

## **B. Public Communications**

Ms. Tressy Capps, Fontana resident, spoke on Toll Free I.E. and that she had made progress with SANBAG (San Bernardino Associated Governments). She summarized her comments on Westgate and said that there was a certain amount of chicanery and would like to see it stopped. She added that she had filed a complaint with the District Attorney's office in April 2016, over the way Westgate has been handled. She mentioned that she had needed to file a public records request to find out what had taken place and was tired of doing so. Ms. Capps stated that hopefully we will see a shift, and moving forward we can work together as a community.

Mr. Eddie McCloud, Fontana resident, spoke on Westgate and just wanted to make sure that the City Council had not met in closed session regarding Westgate. He expressed concerns regarding the development of Westgate and apologized to everyone about something that was discussed about HUD from last week. Mr. McCloud added that he hoped to get into politics to stop some of the growth and development that was happening. He mentioned that he had spoken to the Westgate applicant and the applicant had said that there was going to be development in Planning Area 12 and that low income housing would not be built. He added that they had changed some things and everything should be done above board.

Ms. Kathy Ponce, Fontana resident, spoke on transparency. She referred to an April 18, 2016 email to staff that requested actual number of apartment units, affordable and subsidized, that were available for rent, and future plans for Fontana. The email had been forwarded to Ms. Carla Pursel, but she did not get a response until she was informed that a Public Records Request was necessary. Ms. Ponce asked shouldn't the City know what was happening in the City.

## **C. Westgate Specific Plan Update and Discussion**

Senior Planner DiTanyon Johnson provided the staff report.

Council Member Tahan stated that only two areas had been added for market rate senior housing and a destination point.

Senior Planner Johnson stated that two planning areas had been added.

Discussion ensued regarding the two planning areas for market rate senior housing.

Mr. Eddie McCloud spoke about Planning Areas 44 and 45 and his concerns regarding housing to be located right across from the high school. He stated that everything that had been added should had been senior housing, which had been discussed for months.

Ms. Kathy Ponce stated that at the Westgate Ad Hoc Committee Meetings they had talked about what was going on at Lytle Creek, and at the June 28, 2016 DAB (Development Advisory Board) meeting they were going to talk about it as well. She added that transparency was necessary to find out what was already in the City and get the numbers straight, and asked how many units. She added that this item should be

continued for one year, and if not, she would bring in more people because she was canvassing the neighborhoods and informing people.

Mr. Bruno Marcinelli, landowner, stated that he was neutral about what was going on in the community. He stated that he owned a small parcel that was next to the freeway (PA 47) and liked the present zoning. He added that the parcel was between the freeway and the wash, and would like to keep the present zoning, and the rest was okay by them. Mr. Marcinelli added that it would create a hardship to have 200 feet off the freeway, which would impact the future development of his property.

Council Member Roberts asked whether R-1, 10,000 square foot lots was being discussed.

Mr. Marcinelli stated that was correct and really encouraged that the implications of placing houses against the freeway be looked at.

Council Member Roberts stated that he did not feel that houses near the freeway was a good idea.

Council Member Tahan asked whether the concern was about the units or the acreage.

Senior Planner Johnson stated that the concern was the units.

Council Member Tahan stated that maybe senior housing could be placed in Planning Area 26, near the shopping center. Mr. Tahan added that personally he believed that it was a good location and the applicant was proposing that because of the City's housing numbers.

Mr. McCloud suggested that the senior housing be placed in Planning Areas 43, 44 and 45.

Discussion ensued regarding placing the senior housing in various Planning Areas.

Mayor Warren asked whether Planning Areas 43, 44 and 45 had a mixture of housing.

Senior Planner Johnson stated that Planning Areas 44 and 45 did not have senior housing but Planning Areas 12 and 26 did.

Council Member Tahan stated that Planning Area 26 could absorb the units.

Senior Planner Johnson stated that was a possibility.

Mr. McCloud stated that it should be all senior housing and that a park should be included for the seniors to visit.

Mr. Doug Ford, representative for applicant Unitex Management Corporation, stated that he would like to increase Planning Area 67 for a mix of senior housing.

Mayor Warren stated that when the senior housing units in the downtown area were built,

the City had wanted to make sure that the seniors had their amenities and thought they would also like to be near the shopping centers.

Mr. Ford, applicant's representative, stated that there was a good mix and shopping was available nearby.

Mayor Warren asked whether all the units were market rate for senior housing.

Council Member Tahan stated that Planning Area 12 was out and it appeared Planning Area 67 would be for senior housing.

Mr. McCloud commented from the audience that they should be senior apartments and believed that they needed to have a park and shopping nearby.

Discussion ensued regarding the market rate for senior housing.

Mayor Warren stated that the City Council was going to try to move this forward to a public hearing, which would provide some time to work out options with the applicant.

Mayor Warren announced that tonight's meeting was for comments and that no action would be taken and there would still be a public hearing.

Development Services Deputy City Manager Debbie Brazill, for clarification asked whether staff was being directed to change Planning Areas 12 and 45 to senior housing.

Mayor Warren asked whether that was the direction of the City Council to have staff to look at that.

Council Member Tahan stated that he would like more senior housing in PA 67.

Ms. Brazill stated that it could be changed; however, she asked whether the City Council was asking for more senior housing in Planning Areas 44 and 45.

Mr. Ford, applicant's representative, stated that we could take Planning Areas 44 and 45 and put five acres of senior housing within that area and reduce Planning Area 44 to six acres, so that we have a mix of senior housing.

Mayor Warren announced that she would like to move forward with the public hearing and added that this would also provide time for the applicant and staff to get together.

Council Member Roberts stated that the process would entail going back to the Planning Commission and having it looked at again. Mr. Roberts added that there would be plenty of opportunities to fine tune the project.

Mayor Warren stated that it was important to state that direction was being provided to move this forward, put it on the agenda, and have it noticed.

Ms. Brazill stated that the item would be scheduled for the June 14, 2016 City Council


meeting.

## **ADJOURNMENT:**

The Adjourned City Council meeting adjourned at 6:30 p.m. to the International Shopping Centers ("ICSC") Convention and Expo from May 22-25, 2016, in Las Vegas, Nevada, and then to the next Regular City Council Meeting, which will be held on Tuesday, June 24, 2016, with a workshop at 5:30 p.m. in the City Hall Executive Conference Room and the Regular Meeting at 7:00 p.m. in the Grover W. Taylor Council Chambers located at 8353 Sierra Avenue, Fontana, California.

  
Cecilia Lopez-Henderson  
Deputy City Clerk

**THE FOREGOING MINUTES WERE APPROVED BY THE CITY COUNCIL ON THE 14TH DAY OF JUNE, 2016.**

  
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Tonia Lewis  
City Clerk