

AGENDA
OVERSIGHT BOARD MEETING
FONTANA REDEVELOPMENT SUCCESSOR AGENCY

FRIDAY, JANUARY 20, 2017
8:30 A.M.

Fontana City Hall
Executive Conference Room
8353 Sierra Avenue
Fontana, CA 92335

EVELYNE SSENKOLOTO, Chair
City of Fontana
Employee Appointment

ACQUANETTA WARREN, Vice-Chair
City of Fontana
Mayor Appointment

RANDAL S. BASSETT
Fontana Unified School District
County Superintendent of Education Appointment

DR. ERIC BISHOP
Chaffey College District
Chaffey College Appointment

LAURA A. MANCHA
County of San Bernardino
Board of Supervisors Appointment
Public Member Appointment

KATHRYN BRANN
County of San Bernardino
Board of Supervisors Appointment

JOHN B. ROBERTS
City of Fontana
Fontana Fire Protection District Appointment

In compliance with the Americans with Disabilities Act, the City of Fontana is wheelchair accessible. If other special Assistance is required, please contact the Fontana City Clerk's Office (909-350-7602) 48 hours prior to the scheduled meeting so the Oversight Board can make reasonable arrangements.

**CITY OF FONTANA
OVERSIGHT BOARD MEETING/FONTANA SUCCESSOR AGENCY
January 20, 2017
City Hall - Executive Conference Room
8353 Sierra Avenue
Fontana, CA 92335
8:30 AM**

Welcome to a meeting of the Fontana Oversight Board. A complete agenda packet is located in the binder on the table in the City Hall Executive Conference Room, 8353 Sierra Avenue, Fontana, CA 92335. To address the Board, please fill out a card located at the entrance to the left indicating your desire to speak on either a specific agenda item or under Public Communications and give it to the Board Secretary. Your name will be called when it is your turn to speak. In compliance with Americans with Disabilities Act, the Executive Conference Room, 8353 Sierra Avenue, Fontana, CA 92335 is wheel chair accessible and a portable microphone is available.

Traducción en Español disponible a petición. Favor de notificar al Departamento "City Clerk". Para mayor información, favor de marcar el número (909) 350-7602.

CALL TO ORDER/ROLL CALL:

- A. 8:30 A.M Call the Meeting to Order**

PUBLIC COMMUNICATIONS:

This is an opportunity for citizens to speak to the Oversight Board for up to 5 minutes on items **not** on the Agenda, but within the Board's jurisdiction. The Board is prohibited by law from discussing or taking immediate action on non-agendized items.

- A. Public Communications**

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 the Board votes on them, unless a member of the Board requests a specific item be removed from the Consent Calendar for discussion. **Does any member of the public wish to address the Board regarding any item on the Consent Calendar before the vote is taken?**

A. Approval of Minutes

Approve the minutes of the August 19, 2016 Oversight Board Meeting.

B. Recognized Obligation Payment Schedule (ROPS) 17-18 from July 1, 2017, through June 30, 2018

1. Adopt **Resolution No. FOB 2017-___** by the Oversight Board for Successor Agency to the Fontana Redevelopment Agency approving a Recognized Obligation Payment Schedule pursuant to Health and Safety Code Sections 34177(l) and (o) for July 1, 2017, through June 30, 2018.

2. Determine that this action is exempt from the California Environmental Quality Act (CEQA), and direct staff to file a Notice of Exemption.

Approve Consent Calendar Item(s).

BOARD MEMBER REPORTS:

A. Board Member Reports

STAFF COMMUNICATIONS:

A. Staff Communications

ADJOURNMENT:

A. Adjournment

**MINUTES OF THE OVERSIGHT BOARD
FONTANA REDEVELOPMENT SUCCESSOR AGENCY
FRIDAY, AUGUST 19, 2016**

CALL TO ORDER/ROLL CALL:

The Meeting of the Oversight Board, Fontana Redevelopment Successor Agency, was called to order at 8:35 a.m., which was held on Friday, August 19, 2016, in the Fontana City Hall, Executive Conference Room, 8353 Sierra Avenue, Fontana, California.

OSB Members Present: Chair Evelyne Ssenkoloto, Vice-Chair Acquanetta Warren, OSB Members John Roberts, Dr. Eric Bishop, Laura Mancha, Randal S. Bassett, and Kathryn Brann (arrival at 8:36 a.m.)

OSB Members Absent: None

OSB Staff Present: Ken Hunt, City Manager; David Edgar, Deputy City Manager, Administrative Services; Cecilia Lopez-Henderson, Deputy City Clerk; Jesse B. Raymundo, Administrative Clerk

PUBLIC COMMUNICATIONS: There were no public communications received.

CONSENT ITEMS (A-B):

A. APPROVAL OF MINUTES FOR JANUARY 22, 2016, FONTANA OVERSIGHT BOARD MEETING

ACTION: Motion was made by OSB Member Bishop, and seconded by OSB Member Mancha to approve the January 22, 2016, Minutes of the Oversight Board Meeting, Fontana Redevelopment Successor Agency, and passed by a vote of 6-0-1 (AYES: OSB Members Ssenkoloto, Warren, Roberts, Mancha, Bassett, and Bishop; NOES: 0; ABSENT: Brann).

B. ASSIGNMENT OF BUILDING LEASE – 16867 ARROW BOULEVARD

David Edgar, Deputy City Manager, presented a staff report on the assessment of leases and property ownership, and clarified that the ground lease occupied by Charleys Tastee Shoppe was mistakenly under the name of the Redevelopment Agency, but had always been owned by the City of Fontana. In order to correct the error, an Assignment of Lease must be completed, which had already been approved by the Successor Agency, as well as by the Mayor and City Council. Pending the action of the Oversight Board, the next step would be to have the Department of Finance approve the Assignment of Lease, which would complete the transfer of the lease into the name of the City of Fontana. Mr. Edgar added that this was a clean-up item prior to the Fontana Oversight Board transitioning into a Regional Board.

ACTION: Motion was made by OSB Member Roberts, and seconded by OSB Member Bishop and passed by a vote of 7-0 to approve Consent Calendar Item “CC-B” (AYES: OSB Members Ssenkoloto, Warren, Roberts, Bishop, Mancha, Bassett and Brann; NOES: 0), as follows:

1. Adopt **Resolution No. FOB 2016-002** approving an Assignment of Building Lease (Charleys Tastee Shoppe) for 16867 Arrow Boulevard to the City of Fontana.

STAFF/BOARD MEMBER COMMUNICATION:

Ms. Tressy Capps, Fontana resident, asked for further details regarding the transitioning of the Regional Board.

David Edgar, Deputy City Manager, explained that currently planned for July 2018, the local Oversight Board would become part of a Regional Board through the County of San Bernardino. This was all part of the State’s plan for the transfer of redevelopment responsibilities.

Jesse B. Raymundo, Administrative Clerk II, was introduced. He summarized his background and duties and responsibilities.

ADJOURNMENT:

Chair Ssenkoloto announced that the next Fontana Oversight Board Meeting would be held on a date to be determined in the Fontana City Hall, Executive Conference Room, located at 8353 Sierra Avenue, Fontana, CA 92335. The OSB Meeting was adjourned at 8:45 a.m.

John Roberts
Secretary

Evelyne Ssenkoloto
Chair

ACTION REPORT
January 20, 2017

FROM: Department of Management Services

SUBJECT: Recognized Obligation Payment Schedule (ROPS) 17-18 from July 1, 2017, through June 30, 2018

RECOMMENDATION:

1. Adopt **Resolution No. FOB 2017-___** by the Oversight Board for Successor Agency to the Fontana Redevelopment Agency approving a Recognized Obligation Payment Schedule pursuant to Health and Safety Code Sections 34177(l) and (o) for July 1, 2017, through June 30, 2018.
2. Determine that this action is exempt from the California Environmental Quality Act (CEQA), and direct staff to file a Notice of Exemption.

DISCUSSION:

AB 1X 26 dissolved the Fontana Redevelopment Agency (“Agency”) as of February 1, 2012. The City of Fontana (“RDA Successor Agency”) is the successor agency to the Agency.

One of the responsibilities of the RDA Successor Agency is to prepare a draft ROPS for each six (6) month fiscal period listing the nature, amount, and source(s) of payment of all outstanding “enforceable obligations” (as defined by law) of the dissolved Agency to be paid or performed by the RDA Successor Agency. Each ROPS is required to be forward-looking and show obligations over each six month fiscal period. Beginning with Fiscal Year 2016-17, each ROPS is required to include obligations over a one-year period.

The “enforceable obligations” listed in the ROPS may include the following: (1) bonds; (2) loans legally required to be repaid pursuant to a payment schedule with mandatory repayment terms; (3) payments required by the federal government preexisting obligations to the state or obligations imposed by state law; (4) judgments, settlements or binding arbitration decisions that bind the agency; (5) legally binding and enforceable agreements or contracts; (6) contracts or agreements necessary for the continued administration or operation of the agency, including agreements to purchase or rent office space, equipment and supplies; and (7) amounts borrowed from or payments owing to the Low and Moderate Income Housing Fund that had been deferred as of June 29, 2011.

Staff has completed the Recognized Obligation Payment Schedule for the period of July 1, 2017 through June 30, 2018. These ROPS were approved by the RDA Successor Agency on January 10, 2017, and copies were sent to the county and state. Once approved by the Oversight Board, the ROPS will be submitted to the

County of San Bernardino Auditor-Controller and the State Department of Finance and posted on the RDA Successor Agency's website.

FISCAL IMPACT:

No funds are involved with the approval of the ROPS.

MOTION:

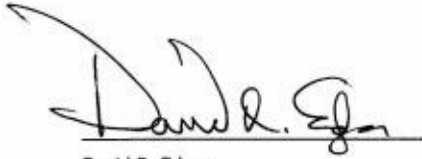
Approve staff recommendation.

SUBMITTED BY:




Lisa Strong
Management Services Director

REVIEWED BY:



David R. Edgar
Deputy City Manager

APPROVED BY:



Kenneth R. Hunt
City Manager

ATTACHMENTS:

Description:	Type:
Proposed Resolution	Resolution

ITEM: CC-B

RESOLUTION NO. FOB 2017-____

A RESOLUTION OF THE OVERSIGHT BOARD OF THE SUCCESSOR AGENCY TO THE DISSOLVED FONTANA REDEVELOPMENT AGENCY, APPROVING A RECOGNIZED OBLIGATION PAYMENT SCHEDULE PURSUANT TO HEALTH AND SAFETY CODE SECTIONS 34177(l) AND (o) FOR JULY 1, 2017 THROUGH JUNE 30, 2018

WHEREAS, pursuant to Health and Safety Code Section 34173(d), the City of Fontana (“RDA Successor Agency”) is the successor agency to the dissolved Fontana Redevelopment Agency (“Agency”), as confirmed by Resolution No. 2012-001 adopted on January 10, 2012; and

WHEREAS, pursuant to Health and Safety Code Section 34179(a), the Oversight Board is the Successor Agency’s oversight board; and

WHEREAS, Health and Safety Code Section 34177(l)(2) and 34177(o), as adopted by AB1x 26, adopted in June 2011, as modified by the Supreme Court opinion in *California Redevelopment Association, et al. v. Ana Matosantos, et al.*, Case No. S194861, and other subsequently adopted legislation, and Health and Safety Code Section 24177(o), as adopted by SB 107, signed by the Governor on September 22, 2015, require the RDA Successor Agency to prepare a “recognized obligation payment schedule” (“ROPS”) listing outstanding obligations of the Agency to be performed by the RDA Successor Agency during the time period from July 1, 2017, through June 30, 2018; and

WHEREAS, Health and Safety Code Section 34177(l)(2)(B) requires that the RDA Successor Agency submit a copy of the ROPS to the county administrative officer, the county auditor-controller, and the Department of Finance at the same time that the successor agency submits the ROPS to the oversight board for approval; and

WHEREAS, Health and Safety Code Section 34177(o)(1) requires that the ROPS for the period July 1, 2017, through June 30, 2018, shall be submitted by the RDA Successor Agency to the county auditor-controller and the Department of Finance and be posted on the RDA Successor Agency’s Internet Web site, after approval by the oversight board, no later than February 1, 2017.

NOW, THEREFORE, THE OVERSIGHT BOARD OF THE SUCCESSOR AGENCY TO THE DISSOLVED FONTANA REDEVELOPMENT AGENCY, DOES HEREBY RESOLVE AND FIND AS FOLLOWS:

Section 1. Recitals. The Recitals set forth above are true and correct and are incorporated into this Resolution by this reference.

Section 2. CEQA Compliance. The approval of the ROPS through this Resolution does not commit the Oversight Board to any action that may have a

Resolution No. FOB 2017-____

significant effect on the environment. As a result, such action does not constitute a project subject to the requirements of the California Environmental Quality Act. The City Clerk, acting on behalf of the Oversight Board, is authorized and directed to file a Notice of Exemption with the appropriate official of the County of San Bernardino, California, within five (5) days following the date of adoption of this Resolution.

Section 3. Approval of ROPS. The Oversight Board hereby approves the ROPS, in substantially the form attached to this Resolution as Exhibit A, pursuant to Health and Safety Code Section 34177.

Section 4. Implementation. The Oversight Board hereby directs the RDA Successor Agency to submit copies of the ROPS approved by the Oversight Board to the county auditor-controller and the Department of Finance, and posting on the RDA Successor Agency's Internet Web site no later than February 1, 2017.

Section 5. Severability. If any provision of this Resolution or the application of any such provision to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of this Resolution that can be given effect without the invalid provision or application, and to this end the provisions of this Resolution are severable. The Oversight Board declares that the Oversight Board would have adopted this Resolution irrespective of the invalidity of any particular portion of this Resolution.

Section 6. Certification. The City Clerk, acting on behalf of the Oversight Board, shall certify to the adoption of this Resolution.

Section 7. Effective Date. This Resolution shall become effective immediately upon its adoption.

APPROVED and ADOPTED this 20th day of January, 2017.

Evelyne Ssenkoloto, Chairperson
Oversight Board of the Successor Agency to the
Fontana Redevelopment Agency

ATTEST:

John Roberts, Secretary
Oversight Board of the Successor Agency to the
Fontana Redevelopment Agency

Resolution No. FOB 2017-____

I, John Roberts, acting as the Secretary of the Oversight Board of the Successor Agency to the Fontana Redevelopment Agency, do hereby certify that the foregoing Resolution is the actual Resolution duly and regularly adopted by the Oversight Board of the Successor Agency to the Fontana Redevelopment Agency at a regular meeting on the 20th day of January, 2017, by the following vote to-wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

John Roberts, Oversight Board Secretary

EXHIBIT A

RECOGNIZED OBLIGATION PAYMENT SCHEDULE
FOR JULY 1, 2017, THROUGH JUNE 30, 2018

[Attached behind this page]

Recognized Obligation Payment Schedule (ROPS 17-18) - Summary

Filed for the July 1, 2017 through June 30, 2018 Period

Successor Agency: Fontana
County: San Bernardino

	17-18A Total (July - December)	17-18B Total (January - June)	ROPS 17-18 Total
A	\$ 7,470,000	\$ 419,091	\$ 7,889,091
B	-	-	-
C	7,470,000	-	7,470,000
D	-	419,091	419,091
E	34,772,153	28,687,727	63,459,880
F	34,121,963	28,037,537	62,159,500
G	650,190	650,190	1,300,380
H	42,242,153	29,106,818	71,348,971

A Enforceable Obligations Funded as Follows (B+C+D):

- B Bond Proceeds
- C Reserve Balance
- D Other Funds

E Redevelopment Property Tax Trust Fund (RPTTF) (F+G):

- F RPTTF
- G Administrative RPTTF

H Current Period Enforceable Obligations (A+E):

Certification of Oversight Board Chairman:
 Pursuant to Section 34177 (o) of the Health and Safety code, I hereby
 certify that the above is a true and accurate Recognized Obligation
 Payment Schedule for the above named successor agency.

 Name Title
 /s/ _____
 Signature Date

Fontana Recognized Obligation Payment Schedule (ROPS 17-18) - Report of Cash Balances
(Report Amounts in Whole Dollars)

Pursuant to Health and Safety Code section 34177 (l), Redevelopment Property Tax Trust Fund (RPTTF) may be listed as a source of payment on the ROPS, but only to the extent no other funding source is available or when payment from property tax revenues is required by an enforceable obligation. For tips on how to complete the Report of Cash Balances Form, see [Cash Balance Tips Sheet](#).

A	B	C	D	E	F	G	H	I	
									Fund Sources
Cash Balance Information by ROPS Period		Bond Proceeds		Reserve Balance		Other	RPTTF	Comments	
		Bonds issued on or before 12/31/10	Bonds issued on or after 01/01/11	Prior ROPS period balances and DDR RPTTF balances retained	Prior ROPS RPTTF distributed as reserve for future period(s)	Rent, grants, interest, etc.	Non-Admin and Admin		
ROPS 15-16B Actuals (01/01/16 - 06/30/16)									
1	Beginning Available Cash Balance (Actual 01/01/16)	9,349,930				2,267,778	167,367		
2	Revenue/Income (Actual 06/30/16) RPTTF amounts should tie to the ROPS 15-16B distribution from the County Auditor-Controller during June 2016					162,036	23,789,785		
3	Expenditures for ROPS 15-16B Enforceable Obligations (Actual 06/30/16)					1,640,053	16,737,407		
4	Retention of Available Cash Balance (Actual 06/30/16) RPTTF amount retained should only include the amounts distributed as reserve for future period(s)						7,122,500		
5	ROPS 15-16B RPTTF Balances Remaining			No entry required				18,697	
6	Ending Actual Available Cash Balance C to G = (1 + 2 - 3 - 4), H = (1 + 2 - 3 - 4 - 5)	\$ 9,349,930	\$ -	\$ -	\$ -	\$ 789,761	\$ 78,548		

Fontana Recognized Obligation Payment Schedule (ROPS 17-18) - Notes July 1, 2017 through June 30, 2018

Item #	Notes/Comments
8	Amount estimated based on prior year's payment
12	Amount estimated based on prior year's payment
13	Amount estimated based on prior year's payment
16	Amount estimated based on prior year's payment
24	Amount estimated based on prior year's payment
32	Amount estimated based on prior year's payment
43	Amount estimated based on prior year's payment
51	The requested amount is based on the remaining balance due for FY 2014/15 (\$1.4 million), the total amount due for FY 2015/16 (\$6.4 million), and the estimated amount due for FY 2016/17 (\$6.7 million) and FY 2017/18 (\$6.9 million). These amounts are subject to (1) a sequestration order issued by Superior Court Judge Timothy Frawley in Sacramento Superior Court Case Nos. 34-2015-80002138 and 34-2015-80002139, (2) a stipulation entered into between the parties, executed December 22, 2016, and (3) a letter from Justyn Howard of DOF, to Oscar Valdez, San Bernardino County Auditor-Controller/Treasurer/Tax Collector, dated December 23, 2016, authorizing a partial release of the sequestered funds during the pendency of the appeals. The total outstanding obligation has been reduced to reflect the estimated amount that could be paid for the remaining life of the obligation based on an estimate of the growth in assessed value in the Jurupa Hills Project Area.
55	Amount estimated based on information available.
84	Amount estimated based on prior year's payment