

**CITY OF FONTANA
REGULAR SUCCESSOR AGENCY MEETING
February 12, 2019
Grover W. Taylor Council Chambers
8353 Sierra Ave
Fontana, CA 92335
7:00 PM**

Welcome to a meeting of the Fontana Successor Agency. A complete agenda packet is located in the binder on the table in the lobby of the Grover W. Taylor Council Chambers 8353 Sierra Avenue, Fontana, CA 92335. To address the Agency, 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 Agency Secretary. Your name will be called when it is your turn to speak. In compliance with Americans with Disabilities Act, the Grover W. Taylor Council Chambers 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. 7:00 P.M. Call the Meeting to Order**

PUBLIC COMMUNICATIONS:

This is an opportunity for citizens to speak to the Successor Agency for up to 5 minutes on items **not** on the Agenda, but within the Agency's jurisdiction. The Agency 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 Agency votes on them, unless a member of the Agency requests a specific item be removed from the Consent Calendar for discussion. **Does any member of the public wish to address the Agency regarding any item on the Consent Calendar before the vote is taken?**

A. Approval of Minutes

Approve the Minutes of the January 8, 2019, Regular Successor Agency Meeting.

B. Ten-Ninety, Ltd. – Fourth Quarter Statement of Development Costs – October 1, 2018 through December 31, 2018

Approve the Reimbursement of Ten-Ninety, Ltd., 2018 Fourth Quarter Statement of Development Costs, in the amount of \$66,042.56 (Jurupa Hills Redevelopment Project).

Approve Consent Calendar Item(s).

ELECTED OFFICIALS COMMUNICATIONS/COMMITTEE REPORTS:

A. Elected Officials Communications/Committee Reports

EXECUTIVE DIRECTOR'S COMMUNICATIONS:

A. Executive Director Communications

ADJOURNMENT:

A. Adjournment

**MINUTES OF THE CITY OF FONTANA
REGULAR SUCCESSOR AGENCY MEETING
January 8, 2019
Grover W. Taylor Council Chambers**

CALL TO ORDER/ROLL CALL:

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

The Regular Meeting of The City of Fontana Successor Agency was held on Tuesday, January 8, 2019, in the Grover W. Taylor Council Chambers, 8353 Sierra Avenue, Fontana, California. Chairperson Warren called the meeting to order at 8:55 p.m.

ROLL CALL:

Present: Chairperson Warren, Agency Members Roberts, Sandoval, Armendarez and Cothran.

Absent: None.

PUBLIC COMMUNICATIONS:

A. Public Communications

There were no Public Communications received.

CONSENT CALENDAR:

ACTION: Motion was made by Agency Vice-Chair Armendarez, seconded by Agency Member Sandoval, and passed by a vote of 5-0 to approve Consent Calendar Items "A-B" (AYES: Warren, Roberts, Sandoval, Armendarez and Cothran; NOES: None.) as follows:

A. Approval of Minutes

Approve the Minutes of the October 23, 2018, Regular Successor Agency Meeting.

B. Recognized Obligation Payment Schedule (ROPS) 19-20 from July 1, 2019, through June 30, 2020

1. Adopt **Resolution No. SAR 2019-001** approving a Recognized Obligation Payment Schedule pursuant to Health and Safety Code Section 34177(l) for July 1, 2019 through June 30, 2020.

2. Determine that this action is exempt from the California Environmental Quality Act

(CEQA), and direct staff to file a Notice of Exemption.

ELECTED OFFICIALS COMMUNICATIONS/COMMITTEE REPORTS:

A. Appointment of Chairperson and Vice-Chairperson for the Fontana Successor Agency

ACTION: Motion was made by Agency Vice Chair Armendarez, seconded by Agency Chair Warren, and passed unanimously by a vote of 5-0 (AYES: Warren, Roberts, Sandoval, Armendarez and Cothran; NOES: None.) as follows:

Adopt **Resolution No. SAR 2019-002**, appointing Authority Member Cothran as Chairperson and Authority Member Armendarez as Vice-Chairperson of the Fontana Successor Agency for a term of one year.

B. Elected Officials Communications/Committee Reports

There were no Elected Official communications received.

EXECUTIVE DIRECTOR'S COMMUNICATIONS:

A. Executive Director Communications

There were no Executive Director communications received.

ADJOURNMENT:

The Fontana Successor Agency meeting was adjourned by consensus at 8:57 p.m.

Tonia Lewis
Agency Secretary

Phillip Cothran
Chairperson

ACTION REPORT
February 12, 2019

FROM: Administrative Services

SUBJECT: Ten-Ninety, Ltd. – Fourth Quarter Statement of Development Costs – October 1, 2018 through December 31, 2018

RECOMMENDATION:

Approve the Reimbursement of Ten-Ninety, Ltd., 2018 Fourth Quarter Statement of Development Costs, in the amount of \$66,042.56 (Jurupa Hills Redevelopment Project).

COMMITTEE GOALS:

- * To practice sound fiscal management by fully funding liabilities and reserves.
- * To practice sound fiscal management by developing long-term funding and debt management plans.

DISCUSSION:

The Owner Participation Agreement (OPA) between the former Fontana Redevelopment Agency and Ten-Ninety, Ltd., provides that certain development costs incurred by the master developer are eligible for reimbursement. Per the OPA, the master developer submits, on a quarterly basis, an itemized accounting of development costs incurred that are associated with the development of Southridge Village. Approved development costs are paid out of tax increment revenues received from the Redevelopment Project.

Although AB1 X26 abolished the Fontana Redevelopment Agency, the OPA itself is an "enforceable obligation." As such, the City as Successor Agency and the Oversight Board should continue to comply with the terms of the OPA. This would include the obligation to reimburse the master developer for eligible costs. As required under the OPA, Ten-Ninety, Ltd. has submitted and staff has reviewed the 2018 Fourth Quarter Statement of Development Costs. Total Development Costs, including Overhead and Management Reimbursements, as submitted by Ten-Ninety, Ltd., and recommended by staff are summarized as follows:

Costs	Submitted	Recommended
Development Costs (1) (2)	\$ 56,446.63	56,446.63
Overhead Reimbursement @ 12%	\$ 6,773.60	6,773.60
Management Reimbursement @ 5%	\$ 2,822.33	2,822.33
TOTAL DEVELOPMENT COSTS	\$ 66,042.56	66,042.56

(1) See attached Statement for details.

(2) Excluding allowance for Overhead and Management Reimbursements.

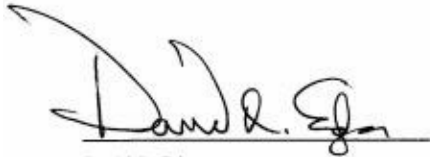
FISCAL IMPACT:

This action will increase the OPA indebtedness to Ten-Ninety, Ltd. in the amount of \$66,042.56 for development costs.

MOTION:

Approve staff recommendation.

SUBMITTED BY:



David R. Edgar
Deputy City Manager

APPROVED BY:



Kenneth R. Hunt
City Manager

ATTACHMENTS:

Description:	Type:
2018 Q4 Ten Ninety Quarterly Statement	Backup Material

ITEM: CC-B

PENNINETY, LTD. SOUTHRIDGE VILLAGE
Quarterly Statement of Development Costs
For the period October 1 through December 31, 2018

<u>Items</u>	<u>Costs</u>	
	<u>Submitted</u>	<u>Recommended</u>
A. Payments to the City of Fontana, Special Trust Fund-Jurupa Hills Redevelopment Project for disbursement as follows: NONE	<u>\$0.00</u>	<u>\$0.00</u>
B. Payments to City of Fontana, Special Trust Fund Assessment District Disbursement as follows: NONE	<u>\$0.00</u>	<u>\$0.00</u>
1. Planning, Engineering, Design and Architectural costs, as follows: NONE	<u>\$0.00</u>	<u>\$0.00</u>
2. See Below		
3. Property Taxes:		
A. Open Space	<u>\$0.00</u>	<u>\$0.00</u>
TOTAL ITEM #3	<u>\$0.00</u>	<u>\$0.00</u>
4. See Below		
5. Environmental impact reports and environmental assessment documents, etc., as follows: NONE	<u>\$0.00</u>	<u>\$0.00</u>
6. Legal, financial, consultant and other professional service costs as follows: TOTAL ITEM #6	<u>\$0.00</u> <u>\$0.00</u>	<u>\$0.00</u> <u>\$0.00</u>

PENNINETY, LTD. - SOUTHRIDGE VILLAGE
Quarterly Statement of Development Costs
For the period October 1 through December 31, 2018

<u>Items</u>	<u>Costs</u>	
	<u>Submitted</u>	<u>Recommended</u>
7. Residual Tax Revenues, sewer, & assessment fees (City & Agency share) per section 2.3(a)(i) & (ii) of Owner Participation Agreement, Amendment No. 3		
A. Tax Increment (35%) \$ - @ 35%	\$0.00	\$0.00
B. Sewer Connection Fees (50%)	\$0.00	\$0.00
C. Assessments (50%) - DeClez Storm Drain \$ 112,893.26 @ 50%	\$56,446.63	\$56,446.63
TOTAL ITEM #7	\$56,446.63	\$56,446.63
8. Loans, financial commitments and other financing costs, as follows:		
A. Department of Housing & Urban Development, Title X, Phase III loan costs: NONE	\$0.00	\$0.00
B. Department of Housing & Urban Development, Title X, Phase III loan interest:	\$0.00	\$0.00
C. 1994 Refunding Tax Allocation Bonds Costs Per Section 4.1.3.2(i)- San Bernardino County	\$0.00	\$0.00
TOTAL ITEM #8	\$0.00	\$0.00

PENNINETY, LTD. - SOUTHRIDGE VILLAGE
Quarterly Statement of Development Costs
For the period October 1 through December 31, 2018

<u>Items</u>		<u>Costs</u>	
		<u>Submitted</u>	<u>Recommended</u>
9.	<u>Phase III</u>		
	Fontana Redevelopment Agency - Information Obligation	\$0.00	\$0.00
	Fontana Redevelopment Agency - L/C Fees	\$0.00	\$0.00
		\$0.00	\$0.00
	TOTAL ITEM #9	<u>\$0.00</u>	<u>\$0.00</u>
	 Total Development Costs for the period <u>REQUIRING</u> approval pursuant to paragraph 2.7 of the Fontana Redevelopment Agency Owner Participation Agreement (Items A,B,1,3 and 5, 6, 8 & 9)	<u>\$0.00</u>	<u>\$0.00</u>
10.	Development Costs for the period <u>NOT</u> <u>REQUIRING</u> approval pursuant to para- graph 2.7 of the F.R.A.O.P.A.		
	See Item 7	\$56,446.63	\$56,446.63
	Total Development Costs for the period excluding the allowance for overhead and management reimbursements.	<u>\$56,446.63</u>	<u>\$56,446.63</u>
11.	Allowance for overhead reimbursement as computed pursuant to Amendment No. 1 to Fontana Redevelopment Owner Par- ticipation Agreement:		
	Development Costs for the period For the period October 1 through December 31, 2018 excluding the allowance for overhead and management reimbursement of 56,446.63 (per above) @ 12%	\$6,773.60	\$6,773.60

PENNINETY, LTD. SOUTHRIDGE VILLAGE
Quarterly Statement of Development Costs
For the period October 1 through December 31, 2018

<u>Items</u>	<u>Costs</u>	
	<u>Submitted</u>	<u>Recommended</u>
12. Allowance for management reimbursement as computed pursuant to Amendment No. 1 to Fontana Redevelopment Agency Owner Participation Agreement:		
Development Costs for the period For the period October 1 through December 31, 2018 excluding the allowance for overhead and management reimbursement of 56,446.63 (per above) @ 5%	\$2,822.33	\$2,822.33
 TOTAL DEVELOPMENT COSTS FOR THE PERIOD	\$66,042.56	\$66,042.56