

**CITY OF FONTANA  
REGULAR SUCCESSOR AGENCY MEETING  
December 10, 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 August 13, 2019, Regular Successor Agency Meeting.

**B. Recognized Obligation Payment Schedule (ROPS) 20-21 from July 1, 2020, through June 30, 2021**

1. Adopt **Resolution No. SAR 2019-\_\_\_\_\_** approving a Recognized Obligation Payment Schedule pursuant to Health and Safety Code Section 34177(l) for July 1, 2020 through June 30, 2021.

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).**

**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  
August 13, 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, August 13, 2019, in the Grover W. Taylor Council Chambers, 8353 Sierra Avenue, Fontana, California. Chairperson Cothran called the meeting to order at 8:35 p.m.

**ROLL CALL:**

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

Absent: None.

**PUBLIC COMMUNICATIONS:**

**A. Public Communications**

There were no public communications received.

**CONSENT CALENDAR:**

**ACTION:** Motion was made by Agency Member Roberts, 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 May 14, 2019, Regular Successor Agency Meeting.

**B. Ten-Ninety, Ltd. – Second Quarter Statement of Development Costs – April 1, 2019 through June 30, 2019**

Approve the Reimbursement of Ten-Ninety, Ltd., 2019 Second Quarter Statement of Development Costs, in the amount of \$7,875.45 (Jurupa Hills Redevelopment Project).

**ELECTED OFFICIALS COMMUNICATIONS/COMMITTEE REPORTS:**

**A. 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 8:36 p.m.

---

Tonia Lewis  
Agency Secretary

---

Phillip Cothran  
Chairperson

**ACTION REPORT**  
**December 10, 2019**

**FROM:** Department of Management Services

**SUBJECT:** Recognized Obligation Payment Schedule (ROPS) 20-21 from July 1, 2020, through June 30, 2021

---

**RECOMMENDATION:**

1. Adopt **Resolution No. SAR 2019-\_\_\_\_\_** approving a Recognized Obligation Payment Schedule pursuant to Health and Safety Code Section 34177(l) for July 1, 2020 through June 30, 2021.
2. Determine that this action is exempt from the California Environmental Quality Act (CEQA), and direct staff to file a Notice of Exemption.

**COMMITTEE GOALS:**

\* To practice sound fiscal management by producing timely and accurate financial information.

**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. Formerly, each ROPS was 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 show 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, 2020 through June 30, 2021. These ROPS are to be submitted by the RDA Successor Agency to the County-Wide Oversight Board (scheduled for January 13, 2020) for approval with copies to the county and state at the same time. The approved ROPS are to be submitted by February 1, 2020, to the County of San Bernardino Auditor-Controller, the State Controller's office and the State Department of Finance and posted on the RDA Successor Agency's website.

**FISCAL IMPACT:**

No RDA Successor Agency funds are involved with approval of the draft ROPS. The ROPS simply lists outstanding obligations of the dissolved Agency that are to be performed by the RDA Successor Agency with existing or future tax increment revenues, subject to the payment priority provisions of AB 1X 26.

**MOTION:**


Approve staff recommendation.

**SUBMITTED BY:**

**REVIEWED BY:**

  
Lisa Strong  
Management Services Director

**APPROVED BY:**

  
G. Michael Milhiser  
Interim City Manager

**ATTACHMENTS:**

Description:	Type:
<a href="#">Proposed Resolution</a>	Resolution
<a href="#">Exhibit A</a>	Backup Material

**ITEM: CC-B**

**RESOLUTION NO. SAR 2019-\_\_\_\_**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FONTANA, CALIFORNIA, AS SUCCESSOR AGENCY TO THE DISSOLVED FONTANA REDEVELOPMENT AGENCY, APPROVING A RECOGNIZED OBLIGATION PAYMENT SCHEDULE PURSUANT TO HEALTH AND SAFETY CODE SECTIONS 34177(I) AND (o) FOR JULY 1, 2020 THROUGH JUNE 30, 2021**

**WHEREAS**, pursuant to Health and Safety Code Section 34173(d), the City of Fontana (“City”) elected to be the Successor Agency to the dissolved Fontana Redevelopment Agency (“RDA Successor Agency”), as confirmed by Resolution No. 2012-001 adopted on January 10, 2012, and pursuant to Health and Safety Code Section 34173(g), the RDA Successor Agency is a separate legal entity from the City; and

**WHEREAS**, Health and Safety Code Section 34177(l)(2) and 34177(o), as adopted by AB 1x 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 34177(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, 2020 through June 30, 2021; 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, 2020 through June 30, 2021, 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, 2020.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF FONTANA, AS 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 draft ROPS through this Resolution does not commit the RDA Successor Agency to any action that may have a significant effect on the environment. As a result, such action does not constitute a project

**Resolution No. SAR 2019-\_\_\_\_**

subject to the requirements of the California Environmental Quality Act. The City Clerk, acting on behalf of the RDA Successor Agency, 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 RDA Successor Agency 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. Transmittal of ROPS.** The City Manager, acting on behalf of the RDA Successor Agency, is hereby authorized and directed to take any action necessary to carry out the purposes of this Resolution and comply with applicable law regarding preparation of the ROPS, including submission of the ROPS to the Oversight Board for approval with a copy of the ROPS submitted to the county administrative officer, the county auditor-controller, and the Department of Finance at the same time; and submission of the Oversight Board-approved ROPS 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, 2019.

**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 RDA Successor Agency declares that the RDA Successor Agency 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 RDA Successor Agency, 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 10<sup>th</sup> day of December, 2019.

**READ AND APPROVED AS TO LEGAL FORM:**

---

Agency Attorney

I, Tonia Lewis, City Clerk of the City of Fontana, California, and Ex-Officio Clerk of the RDA Successor Agency, do hereby certify that the foregoing Resolution is the actual Resolution duly and regularly adopted by the City Council of said City, acting as the



**Resolution No. SAR 2019-\_\_\_\_**

Successor Agency to the dissolved Fontana Redevelopment Agency, at a regular meeting on the 10<sup>th</sup> day of December, 2019, by the following vote to-wit:

**AYES:**

**NOES:**

**ABSENT:**

---

City Clerk of the City of Fontana, and  
Ex-Officio Clerk of the Successor Agency  
to the Fontana Redevelopment Agency

---

Mayor of the City of Fontana, and  
Chair of the Successor Agency to the  
Fontana Redevelopment Agency

**ATTEST:**

**Resolution No. SAR 2019-\_\_\_\_**

**EXHIBIT A**

**RECOGNIZED OBLIGATION PAYMENT SCHEDULE**  
**FOR JULY 1, 2020 THROUGH JUNE 30, 2021**

**[Attached behind this page]**

**Recognized Obligation Payment Schedule (ROPS 20-21) - Summary  
Filed for the July 1, 2020 through June 30, 2021 Period**

**Successor Agency:** Fontana

**County:** San Bernardino

<b>Current Period Requested Funding for Enforceable Obligations (ROPS Detail)</b>	<b>20-21A Total (July - December)</b>	<b>20-21B Total (January - June)</b>	<b>ROPS 20-21 Total</b>
<b>A Enforceable Obligations Funded as Follows (B+C+D)</b>	<b>\$ 9,570,375</b>	<b>\$ -</b>	<b>\$ 9,570,375</b>
B Bond Proceeds	-	-	-
C Reserve Balance	9,570,375	-	9,570,375
D Other Funds	-	-	-
<b>E Redevelopment Property Tax Trust Fund (RPTTF) (F+G)</b>	<b>\$ 17,786,853</b>	<b>\$ 22,680,940</b>	<b>\$ 40,467,793</b>
F RPTTF	17,661,853	22,555,940	40,217,793
G Administrative RPTTF	125,000	125,000	250,000
<b>H Current Period Enforceable Obligations (A+E)</b>	<b>\$ 27,357,228</b>	<b>\$ 22,680,940</b>	<b>\$ 50,038,168</b>

**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 20-21) - ROPS Detail  
July 1, 2020 through June 30, 2021**

A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P	Q	R	S	T	U	V	W
Item #	Project Name	Obligation Type	Agreement Execution Date	Agreement Termination Date	Payee	Description	Project Area	Total Outstanding Obligation	Retired	ROPS 20-21 Total	ROPS 20-21A (Jul - Dec)					20-21A Total	ROPS 20-21B (Jan - Jun)					20-21B Total
											Fund Sources						Fund Sources					
											Bond Proceeds	Reserve Balance	Other Funds	RPTTF	Admin RPTTF		Bond Proceeds	Reserve Balance	Other Funds	RPTTF	Admin RPTTF	
								\$477,865,866		\$50,038,168	\$-	\$9,570,375	\$-	\$17,661,853	\$125,000	\$27,357,228	\$-	\$-	\$-	\$22,555,940	\$125,000	\$22,680,940
8	1997A Tax Allocation Refunding Bonds	Fees	12/05/1997	10/01/2027	US Bank (Trustee)	Trustee fees	Jurupa Hills	-	Y	\$-	-	-	-	-	-	\$-	-	-	-	-	-	\$-
12	1999A Tax Allocation Refunding Bonds	Fees	06/10/1999	10/01/2027	US Bank (Trustee)	Trustee fees	Jurupa Hills	-	Y	\$-	-	-	-	-	-	\$-	-	-	-	-	-	\$-
25	1991 Jr Lien Tax Allocation Bonds	Bonds Issued On or Before 12/31/10	01/01/1991	06/10/2032	US Bank (Trustee)	Non-housing projects	North Fontana	51,375,772	N	\$4,281,314	-	-	-	-	-	\$-	-	-	-	4,281,314	-	\$4,281,314
51	Owner Participation Agreement	OPA/DDA/Construction	01/01/1983	01/01/1983	Ten Ninety Ltd	Public improvement costs	Jurupa Hills	141,150,210	N	\$11,335,479	-	-	-	7,328,622	-	\$7,328,622	-	-	-	4,006,857	-	\$4,006,857
53	Lease Agreement	Miscellaneous	09/06/1994	09/06/2032	Earl Buchanan	Tamarind Basin lease agreement	Jurupa Hills	102,000	N	\$6,000	-	-	-	6,000	-	\$6,000	-	-	-	-	-	\$-
68	Administrative Costs	Admin Costs	07/01/2019	06/30/2020	City of Fontana	Cost allocation plan for FY 2019/20 (limited to 3%)	All	250,000	N	\$250,000	-	-	-	-	125,000	\$125,000	-	-	-	-	125,000	\$125,000
88	2017A Tax Allocation Refunding Bonds	Bonds Issued After 12/31/10	12/06/2017	10/01/2036	US Bank (Trustee)	Debt service for bonds	Downtown, North Fontana, Sierra Corridor, SWIP	242,471,600	N	\$24,803,575	-	5,542,500	-	9,914,100	-	\$15,456,600	-	-	-	9,346,975	-	\$9,346,975
89	2017B Tax Allocation Refunding Bonds	Bonds Issued After 12/31/10	12/06/2017	10/01/2036	US Bank (Trustee)	Debt service for bonds	Downtown, North Fontana, Sierra Corridor, SWIP	7,341,581	N	\$1,168,425	-	305,000	-	388,131	-	\$693,131	-	-	-	475,294	-	\$475,294
90	2017A&B Tax Allocation Refunding Bonds	Fees	12/06/2017	10/01/2036	US Bank (Trustee)	Trustee fees	Downtown, North Fontana, Sierra Corridor, SWIP	269,828	N	\$15,000	-	-	-	15,000	-	\$15,000	-	-	-	-	-	\$-
91	2018A Tax	Bonds Issued	07/18/	10/01/2027	US Bank	Debt service		34,824,875	N	\$8,168,375	-	3,722,875	-	-	-	\$3,722,875	-	-	-	4,445,500	-	\$4,445,500

A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P	Q	R	S	T	U	V	W	
Item #	Project Name	Obligation Type	Agreement Execution Date	Agreement Termination Date	Payee	Description	Project Area	Total Outstanding Obligation	Retired	ROPS 20-21 Total	ROPS 20-21A (Jul - Dec)					20-21A Total	ROPS 20-21B (Jan - Jun)					20-21B Total	
											Fund Sources						Fund Sources						
											Bond Proceeds	Reserve Balance	Other Funds	RPTTF	Admin RPTTF		Bond Proceeds	Reserve Balance	Other Funds	RPTTF	Admin RPTTF		
	Allocation Refunding Bonds	After 12/31/10	2018		(Trustee)	for bonds																	
92	2018A Tax Allocation Refunding Bonds	Fees	07/18/2018	10/01/2027	US Bank (Trustee)	Trustee fees		80,000	N	\$10,000	-	-	-	10,000	-	\$10,000	-	-	-	-	-	-	\$-
93	Prior payments exceeding authorization	Fees	07/01/2015	06/30/2018	US Bank (Trustee)	Trustee fees		-	Y	\$-	-	-	-	-	-	\$-	-	-	-	-	-	-	\$-

**Fontana**  
**Recognized Obligation Payment Schedule (ROPS 20-21) - Report of Cash Balances**  
**July 1, 2018 through June 30, 2019**  
(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.

A	B	C	D	E	F	G	H	
ROPS 18-19 Cash Balances (07/01/18 - 06/30/19)		Fund Sources					Comments	
		Bond Proceeds		Reserve Balance	Other Funds	RPTTF		
		Bonds issued on or before 12/31/10	Bonds issued on or after 01/01/11	Prior ROPS RPTTF and Reserve Balances retained for future period(s)	Rent, grants, interest, etc.	Non-Admin and Admin		
1	<b>Beginning Available Cash Balance (Actual 07/01/18)</b> RPTTF amount should exclude "A" period distribution amount.	9,644,898	-	7,470,000	481,530	210,921		
2	<b>Revenue/Income (Actual 06/30/19)</b> RPTTF amount should tie to the ROPS 18-19 total distribution from the County Auditor-Controller	234,468	246,130,167		189,273	48,603,062		
3	<b>Expenditures for ROPS 18-19 Enforceable Obligations (Actual 06/30/19)</b>	3,858,009	246,130,167	7,470,000	789,761	34,509,126		
4	<b>Retention of Available Cash Balance (Actual 06/30/19)</b> RPTTF amount retained should only include the amounts distributed as reserve for future period(s)			-		13,970,280		
5	<b>ROPS 18-19 RPTTF Prior Period Adjustment</b> RPTTF amount should tie to the Agency's ROPS 18-19 PPA form submitted to the CAC		No entry required				123,656	
6	<b>Ending Actual Available Cash Balance (06/30/19)</b> C to F = (1 + 2 - 3 - 4), G = (1 + 2 - 3 - 4 - 5)	<b>\$6,021,357</b>	<b>\$-</b>	<b>\$-</b>	<b>\$(118,958)</b>	<b>\$210,921</b>		

**Fontana**  
**Recognized Obligation Payment Schedule (ROPS 20-21) - Notes**  
**July 1, 2020 through June 30, 2021**

Item #	Notes/Comments
8	
12	
25	
51	The requested amount includes the balance underpaid for FY 2019/19 (\$1,113,736 @ 100%) and the estimated amount due for FY 2020/21 (\$10,221,743 @ 100%) for a total of \$11,335,479 @ 100%. 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.
53	
68	
88	Debt service is split between ROPS A and B per bond indenture
89	Debt Service is split between ROPS A and B per bond indenture
90	Trustee fees are estimated
91	Debt service must be available at the beginning of the calendar year per bond indenture
92	Trustee fees are estimated
93	