

**CITY OF FONTANA  
REGULAR SUCCESSOR AGENCY MEETING  
May 11, 2021  
AVAILABLE REMOTELY  
7:00 PM**

Due to the evolving situation with the COVID-19 Novel Coronavirus and the health recommendations for social distancing from the Center for Disease Control (CDC)

**THE CITY OF FONTANA SUCCESSOR AGENCY MEETING  
SHALL BE AVAILABLE TO THE PUBLIC REMOTELY.**

The general public is encouraged to watch and participate from the safety of their home while practicing social distancing.

**The meeting can be viewed:**

**On Local Cable: KFON Channel 3**

Streaming Online: <https://LIVE.FONTANA.ORG>

To speak during the meeting, you must register at [live.fontana.org/RegisterCouncil](https://live.fontana.org/RegisterCouncil). Once registered, you will be emailed the call-in information. This registration form will be available after the Agenda is posted publicly.

Members of the public must call in at 7:00 p.m. to speak during the meeting, **\*\*Except for comments related to Closed Session Items (noted below).\*\***

Alternatively, you can leave your pre-recorded public comment by calling (909) 600-5502 and leave your comments in a voice mail message no later than 5:00 p.m., on the day of the meeting, to have it played during the meeting. **\*\*Due to technical constraints, public comments for Closed Session Items will only be available via voicemail, please follow the above instructions.**

**Welcome to the meeting of the Fontana Successor Agency.** To speak during the meeting, you must register at [live.fontana.org/RegisterCouncil](https://live.fontana.org/RegisterCouncil). Once registered, you will be emailed the call-in information. This registration form will be available after the Agenda is posted publicly. Members of the public must call in at 7:00 p.m. to speak during the meeting, except for comments related to Closed Session Items (noted below). Alternatively, you can leave your pre-recorded public comment by calling (909) 600-5502 and leave your comments in a voice mail message no later than 5:00 p.m., on the day of the meeting, to have it played during the meeting. \*Due to

technical constraints, public comments for Closed Session Items will only be available via voicemail, please follow the above instructions. In compliance with Section 202 of the Americans with Disabilities Act of 1990 42 U.S.C Sec. 12132 and the federal rules and regulations adopted in implementation thereof, the Agenda will be made available in appropriate alternative formats to persons with a disability. Should you need special assistance to participate in this meeting, please contact the City Clerks Department by calling (909) 350-7602. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting.

Traducción en Español disponible a petición. Favor de notificar al Departamento "City Clerk". Para mayor información, favor de marcar el número 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 3 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 February 9, 2021, Regular Successor Agency Meeting.

- B. Ten-Ninety, Ltd. – First Quarter Statement of Development Costs – January 1, 2021, through March 31, 2021**

Approve the Reimbursement of Ten-Ninety, Ltd., 2021 First Quarter Statement of Development Costs, in the amount of \$55,205.08 (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  
February 9, 2021  
AVAILABLE REMOTELY**

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**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 remotely on Tuesday, February 9, 2021. Chairperson Garcia called the meeting to order at 7:46 p.m.

**ROLL CALL:**

Present: Chairperson Garcia, Vice-Chair Cothran, Agency Members Warren, Roberts and Sandoval.

Absent: None

**PUBLIC COMMUNICATIONS:**

**A. Public Communications**

There were no public communications received.

**CONSENT CALENDAR:**

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

**A. Approval of Minutes**

Approve the Minutes of the January 12, 2021, Regular Successor Agency Meeting.

**B. Ten-Ninety, Ltd. – Fourth Quarter Statement of Development Costs – October 1, 2020 through December 31, 2020**

Approve the Reimbursement of Ten-Ninety, Ltd., 2020 Fourth Quarter Statement of Development Costs, in the amount of \$62,123.38 (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 7:49 p.m.

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Tonia Lewis  
Agency Secretary

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Peter A. Garcia  
Chairperson

**ACTION REPORT**  
**May 11, 2021**

**FROM:** Administrative Services

**SUBJECT:** Ten-Ninety, Ltd. – First Quarter Statement of Development Costs – January 1, 2021, through March 31, 2021

**RECOMMENDATION:**

Approve the Reimbursement of Ten-Ninety, Ltd., 2021 First Quarter Statement of Development Costs, in the amount of \$55,205.08 (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 2021 First 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 <sup>(1)</sup> <sup>(2)</sup>	\$ 47,183.83	47,183.83
Overhead Reimbursement @ 12%	\$ 5,662.06	5,662.06
Management Reimbursement @ 5%	\$ 2,359.19	2,359.19
<b>TOTAL DEVELOPMENT COSTS</b>	<b>\$ 55,205.08</b>	<b>55,205.08</b>

(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 \$55,205.08 for development costs.

**MOTION:**


Approve staff recommendation.

**SUBMITTED BY:**

**REVIEWED BY:**

  
Lisa Strong  
Management Services Director

**APPROVED BY:**

  
Mark Denny  
City Manager

**ATTACHMENTS:**

Description:	Type:
<a href="#">2021 Q1 Ten Ninety Quarterly Statement</a>	Backup Material

**ITEM: CC-B**

**TEN-NINETY, LTD. - SOUTHRIDGE VILLAGE**  
**Quarterly Statement of Development Costs**  
**For the period January 1 through March 31, 2021**

<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 dis- bursement as follows: NONE	\$0.00	\$0.00
B. Payments to City of Fontana, Special Trust Fund Assessment District Disbursement as follows: NONE	\$0.00	\$0.00
1. Planning, Engineering, Design and Architectural costs, as follows: NONE	\$0.00	\$0.00
2. See Below		
3. Property Taxes:		
A. Open Space	\$0.00	\$0.00
TOTAL ITEM #3	\$0.00	\$0.00
4. See Below		
5. Environmental impact reports and environmental assessment documents, etc., as follows: NONE	\$0.00	\$0.00
6. Legal, financial, consultant and other professional service costs as follows:		
TOTAL ITEM #6	\$0.00	\$0.00
	\$0.00	\$0.00



**TEN-NINETY, LTD. - SOUTHRIDGE VILLAGE**  
**Quarterly Statement of Development Costs**  
**For the period January 1 through March 31, 2021**

<u>Items</u>	<u>Costs</u>	
	<u>Submitted</u>	<u>Recommended</u>
7. <b>Residual Tax Revenues, sewer, &amp; assessment</b> 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 \$ 94,367.67 @ 50%	\$47,183.83	\$47,183.83
TOTAL ITEM #7	\$47,183.83	\$47,183.83
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

**TEN-NINETY, LTD. - SOUTHRIDGE VILLAGE**  
**Quarterly Statement of Development Costs**  
**For the period January 1 through March 31, 2021**

Items	Submitted	Recommended
<p>9. <u>Phase III</u></p> <p style="padding-left: 40px;">Fontana Redevelopment Agency - Information Obligation</p> <p style="padding-left: 80px;">Fontana Redevelopment Agency - L/C Fees</p> <p style="padding-left: 40px;">TOTAL ITEM #9</p>	<p>\$0.00</p> <p>\$0.00</p> <p>\$0.00</p> <hr style="border: 0.5px solid black;"/> <p>\$0.00</p>	<p>\$0.00</p> <p>\$0.00</p> <p>\$0.00</p> <hr style="border: 0.5px solid black;"/> <p>\$0.00</p>
<p>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 &amp; 9)</p>		
	<hr style="border: 0.5px solid black;"/> <p>\$0.00</p>	<hr style="border: 0.5px solid black;"/> <p>\$0.00</p>
<p>10. <b>Development Costs for the period <u>NOT</u> <u>REQUIRING</u></b> approval pursuant to paragraph 2.7 of the F.R.A.O.P.A.</p> <p style="padding-left: 40px;">See Item 7</p> <p style="padding-left: 40px;">Total Development Costs for the period excluding the allowance for overhead and management reimbursements.</p>	<p>\$47,183.83</p> <hr style="border: 0.5px solid black;"/> <p>\$47,183.83</p>	<p>\$47,183.83</p> <hr style="border: 0.5px solid black;"/> <p>\$47,183.83</p>
<p>11. <b>Allowance for overhead reimbursement</b> as computed pursuant to Amendment No. 1 to Fontana Redevelopment Owner Participation Agreement:</p> <p style="padding-left: 40px;">Development Costs for the period For the period January 1 through March 31, 2021 excluding the allowance for overhead and management reimbursement of 47,183.83 (per above) @ 12%</p>	<p>\$5,662.06</p>	<p>\$5,662.06</p>

**TEN-NINETY, LTD. - SOUTHRIDGE VILLAGE**  
**Quarterly Statement of Development Costs**  
**For the period January 1 through March 31, 2021**

<u>Items</u>	<u>Submitted</u>	<u>Costs</u> <u>Recommended</u>
<p>12. <b>Allowance for management reimbursement</b>                      as computed pursuant to Amendment No. 1                      to Fontana Redevelopment Agency Owner                      Participation Agreement:</p> <p style="margin-left: 40px;">Development Costs for the period                      For the period January 1 through March 31, 2021                      excluding the allowance for overhead                      and management reimbursement                      of           47,183.83 (per above) @ 5%</p>	<p style="margin-left: 40px;">\$2,359.19</p>	<p style="margin-left: 40px;">\$2,359.19</p>
<b>TOTAL DEVELOPMENT COSTS FOR THE PERIOD</b>	<b><u><u>\$55,205.08</u></u></b>	<b><u><u>\$55,205.08</u></u></b>