

City of Fontana

8353 Sierra Avenue
Fontana, CA 92335



Regular Agenda

Next Reso. No. SA 2021-004

Tuesday, September 14, 2021

7:00 PM

Grover W. Taylor Council Chambers

Successor Agency

Peter A. Garcia - Chairperson
Phillip Cothran - Vice Chairperson
Acquanetta Warren - Agency Member
John B. Roberts - Agency Member
Jesse "Jesus" Sandoval - Agency Member
Janet Koehler Brooks - City Treasurer
Tonia Lewis - Agency Secretary

Welcome to the Fontana Successor Agency Meeting!

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 wheelchair accessible and a portable microphone is available. Any public record, relating to an open session agenda item, that is distributed within 72 hours prior to the meeting is available for public inspection in the Grover W. Taylor Council Chambers 8353 Sierra Avenue Fontana, CA 92335.

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 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 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** [21-833](#)

Approve the minutes of the May 11, 2021, Regular Successor Agency Meeting.

Attachments: [5-11-2021 Successor Agency Minutes - DRAFT](#)

- B. **Ten-Ninety, Ltd. - Second Quarter Statement of Development Costs - April 1, 2021, through June 30, 2021** [21-737](#)

Approve the Reimbursement of Ten-Ninety, Ltd., 2021 Second Quarter Statement of Development Costs, in the amount of \$145,448.37 (Jurupa Hills Redevelopment Project).

Attachments: [2021 Q2 - Ten Ninety Ltd. Development Costs](#)

ELECTED OFFICIALS COMMUNICATIONS/COMMITTEE REPORTS:

- A. Elected Officials Communications/Committee Reports

EXECUTIVE DIRECTOR'S COMMUNICATIONS:

- A. Executive Director's Communications

ADJOURNMENT:

- A. Adjournment



City of Fontana

8353 Sierra Avenue
Fontana, CA 92335

Action Report

Successor Agency

File #: 21-833

Agenda #: A.

Agenda Date: 9/14/2021

Category: Consent Calendar

FROM:

City Clerk

SUBJECT:

Approval of Minutes

RECOMMENDATION:

Approve the minutes of the May 11, 2021, Regular Successor Agency Meeting.

COUNCIL GOALS:

- To create a team by working together to provide stability and consistent policy direction.
- To create a team by communicating Goals and Objectives to all sectors of the community.

DISCUSSION:

The Successor Agency will consider approval of the minutes of the May 11, 2021, Regular Successor Agency Meeting. The draft minutes are attached to this report for Agency review and approval.

FISCAL IMPACT:

None

MOTION:

Approve staff recommendation.

**MINUTES OF THE CITY OF FONTANA
REGULAR SUCCESSOR AGENCY MEETING
May 11, 2021
AVAILABLE REMOTELY**

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, May 11, 2021. Chairperson Garcia called the meeting to order at 8:45 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 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).

ELECTED OFFICIALS COMMUNICATIONS/COMMITTEE REPORTS:

A. Elected Officials Communications/Committee Reports

Vice-Chair Cothran applauded Chair Garcia on leading tonight's meeting.

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 8:46 p.m.

Tonia Lewis
Agency Secretary

Peter A. Garcia
Chairperson



City of Fontana

8353 Sierra Avenue
Fontana, CA 92335

Action Report

Successor Agency

File #: 21-737

Agenda #: B.

Agenda Date: 9/14/2021

Category: Consent Calendar

FROM:

Management Services

SUBJECT:

Ten-Ninety, Ltd. - Second Quarter Statement of Development Costs - April 1, 2021, through June 30, 2021

RECOMMENDATION:

Approve the Reimbursement of Ten-Ninety, Ltd., 2021 Second Quarter Statement of Development Costs, in the amount of \$145,448.37 (Jurupa Hills Redevelopment Project).

COUNCIL 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 Second 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⁾	\$ 124,314.85	124,314.85
Overhead Reimbursement @ 12%	\$ 14,917.78	14,917.78
Management Reimbursement @ 5%	\$ 6,215.74	6,215.74

TOTAL DEVELOPMENT COSTS	\$ 145,448.37	145,448.37
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⁽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 \$145,448.37 for development costs.

MOTION:

Approve staff recommendation.

TEN-NINETY, LTD. - SOUTHRIDGE VILLAGE
Quarterly Statement of Development Costs
For the period April 1 through June 30, 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

TEN-NINETY, LTD. - SOUTHRIDGE VILLAGE
Quarterly Statement of Development Costs
For the period April 1 through June 30, 2021

<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 \$ 248,629.69 @ 50%	\$124,314.85	\$124,314.85
TOTAL ITEM #7	\$124,314.85	\$124,314.85
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 April 1 through June 30, 2021

<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	\$0.00	\$0.00
	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)	\$0.00	\$0.00
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	\$124,314.85	\$124,314.85
	Total Development Costs for the period excluding the allowance for overhead and management reimbursements.	\$124,314.85	\$124,314.85
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 April 1 through June 30, 2021 excluding the allowance for overhead and management reimbursement of 124,314.85 (per above) @ 12%	\$14,917.78	\$14,917.78

TEN-NINETY, LTD. - SOUTHRIDGE VILLAGE
Quarterly Statement of Development Costs
For the period April 1 through June 30, 2021

<u>Items</u>	<u>Costs</u>	
	<u>Submitted</u>	<u>Recommended</u>
<p>12. Allowance for management reimbursement 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 April 1 through June 30, 2021 excluding the allowance for overhead and management reimbursement of 124,314.85 (per above) @ 5%</p>	<p>\$6,215.74</p>	<p>\$6,215.74</p>
TOTAL DEVELOPMENT COSTS FOR THE PERIOD	<p>\$145,448.37</p>	<p>\$145,448.37</p>