

REPORT/RECOMMENDATION TO THE SAN BERNARDINO COUNTYWIDE OVERSIGHT BOARD AND RECORD OF ACTION

January 12, 2023

FROM

JENNIFER M. HIRAMOTO, Executive Director of Economic Development, City of Ontario
Successor Agency

SUBJECT

Resolution Approving the Successor Agency to the Redevelopment Agency of the City of Ontario's Recognized Obligation Payment Schedule and Administrative Budget for Fiscal Year 2023-24

RECOMMENDATION(S)

Adopt a **Resolution No. 2023-10** approving the Successor Agency to the Redevelopment Agency of the City of Ontario's Recognized Obligation Payment Schedule and administrative budget for Fiscal Year 2023-24.

(Presenter: Charity Hernandez, Principal Project Manager, City of Ontario, Economic Development Agency, (909) 395-2289)

BACKGROUND INFORMATION

California Health & Safety Code (HSC) section 34177 requires the San Bernardino Countywide Oversight Board (CWOB) to approve the 2023-24 Recognized Obligation Payment Schedule (ROPS) and administrative budget. The ROPS is an annual form and must be submitted to the Department of Finance (DOF) and the County Auditor-Controller by February 1 of each year. Pursuant to HSC section 34179(h)(1)(B), the administrative budget is not required to be sent to DOF.

DOF will have until April 15 to review the 2023-24 ROPS and provide the successor agency a compliance determination. If the successor agency disagrees with the DOF determination, a "meet and confer" is allowed to facilitate a discussion between the successor agency and DOF. In the event of a meet and confer process, DOF must make a final compliance determination on or before May 15 or 15 days prior to the June 1 Redevelopment Property Tax Trust Fund (RPTTF) distribution.

The recommended action will further the Successor Agency to the Redevelopment Agency of the City of Ontario's (Successor Agency) dissolution as an annual ROPS is required by DOF as part of the wind-down of the Successor Agency. There is a decrease in the amount required from the RPTTF from the last annual approved ROPS of \$610,817.

It is recommended the CWOB approve the Successor Agency's 2023-24 ROPS and administrative budget. The draft 2023-24 ROPS will be provided to DOF, the County Auditor-Controller and the County Administrative Office as required by HSC section 34177(1)(2)(B). The adopted 2023-24 ROPS will be provided to DOF and the County Auditor-Controller pursuant to HSC section 34177(o). This will commence the DOF review period.

**Resolution Approving the Successor Agency to the Redevelopment
Agency of the City of Ontario's Recognized Obligation Payment
Schedule and Administrative Budget for Fiscal Year 2023-24
January 12, 2023**

ATTACHMENTS

Attachment A – Resolution

Attachment B – ROPS for Fiscal Year 2023-24

Attachment C – Administrative budget for Fiscal Year 2023-24

REVIEW BY OTHERS

This item has been reviewed by Auditor-Controller/Treasurer/Tax Collector on January 4, 2023 and San Bernardino Countywide Oversight Board Legal Counsel on January 4, 2023.

**Resolution Approving the Successor Agency to the Redevelopment Agency of the City of Ontario's Recognized Obligation Payment Schedule and Administrative Budget for Fiscal Year 2023-24
January 12, 2023**

Record of Action of the San Bernardino Countywide Oversight Board

APPROVED

Moved: Cindy Saks Seconded: Lawrence Strong
Ayes: Frederick Ang, Richard DeNava, Kenneth Miller, Cindy Saks, Lawrence Strong, Acquanetta Warren, David Wert

Lynna Monell, SECRETARY

BY 
DATED: January 12, 2023



cc: w/Resolution
File - San Bernardino Countywide Oversight Board w/attach
CCM 01/19/2023

RESOLUTION NO. 2023- 10

RESOLUTION OF THE SAN BERNARDINO COUNTYWIDE OVERSIGHT BOARD APPROVING THE SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY OF THE CITY OF ONTARIO'S RECOGNIZED OBLIGATION PAYMENT SCHEDULE AND ADMINISTRATIVE BUDGET FOR FISCAL YEAR 2023-24

On Thursday, January 12, 2023 on motion of San Bernardino Countywide Oversight Board Member Saks, duly seconded by San Bernardino Countywide Oversight Board Member Strong and carried, the following resolution is adopted by the San Bernardino Countywide Oversight Board, State of California.

WHEREAS, California Health and Safety Code (HSC) section 34179(e) requires all action items of the San Bernardino Countywide Oversight Board be accomplished by resolution; and

WHEREAS, HSC section 34177 requires the San Bernardino Countywide Oversight Board to approve the Recognized Obligation Payment Schedule (ROPS) and administrative budget; and

WHEREAS, pursuant to HSC section 34177(o), the deadline for submitting the ROPS for Fiscal Year 2023-24 to the Department of Finance is February 1, 2023.

NOW, THEREFORE, the San Bernardino Countywide Oversight Board hereby resolves, determines and orders as follows:

Section 1. The foregoing recitals are true and correct.

Section 2. The Successor Agency to the Redevelopment Agency of the City of Ontario's ROPS and administrative budget for Fiscal Year 2023-24 in the form presented in Attachment "B", attached hereto and incorporated herein by this reference, together with such changes thereto as may be approved by the San Bernardino Countywide Oversight Board, are hereby approved.

Section 3. The ROPS for Fiscal Year 2023-24 in the form presented in Attachment "B" shall be transmitted to the Department of Finance, with a copy submitted concurrently to the San Bernardino Countywide Oversight Board.

This resolution shall take effect from and after the date of its passage and adoption.

PASSED AND ADOPTED by the San Bernardino Countywide Oversight Board, State of California, by the following vote:

AYES: OVERSIGHT BOARD MEMBER: Frederick Ang, Richard DeNava, Kenneth Miller, Cindy Saks, Lawrence Strong, Acquanetta Warren, David Wert

NOES: OVERSIGHT BOARD MEMBER: None

ABSENT: OVERSIGHT BOARD MEMBER: None

* * * * *

STATE OF CALIFORNIA)
)
SAN BERNARDINO COUNTY) ss.

I, **LYNNA MONELL**, Secretary to the San Bernardino Countywide Oversight Board, State of California, hereby certify the foregoing to be a full, true and correct copy of the record of the action taken by the Countywide Oversight Board, by vote of the members present, as the same appears in the Official Minutes of said Board at its meeting of January 12, 2023. #10 CCM

LYNNA MONELL
Secretary to the San Bernardino Countywide
Oversight Board

By _____
Deputy




Recognized Obligation Payment Schedule (ROPS 23-24) - Summary
Filed for the July 1, 2023 through June 30, 2024 Period

Successor Agency: City of Ontario
 County: San Bernardino

Current Period Requested Funding for Enforceable Obligations (ROPS Detail)	23-24 A Total (July - December)	23-24 B Total (January - June)	ROPS 23-24 Total
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):	\$ 8,850,181	\$ 807,739	\$ 9,657,920
F RPTTF	8,600,181	807,739	9,407,920
G Administrative RPTTF	250,000	-	250,000
H Current Period Enforceable Obligations (A+E):	\$ 8,850,181	\$ 807,739	\$ 9,657,920

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.

David Wert Chairman
 Name Title

 Signature Date
 January 12, 2023

City of Ontario Recognized Obligation Payment Schedule (ROPS 23-24) - ROPS Detail
July 1, 2023 through June 30, 2024
(Report Amounts in Whole Dollars)

A Item #	B Project Name/Debt Obligation	C Obligation Type	D Contract/Agreement Execution Date	E Contract/Agreement Termination Date	F Payee	G Description/Project Scope	H Project Area	I Total Outstanding Debt or Obligation	J Retired	K ROPS 23-24 Total	L 23-24 A (July - December)					Q 23-24 A Total	R 23-24 B (January - June)					W 23-24 B Total	
											M Fund Sources						S Fund Sources						
											N Bond Proceeds	O Reserve Balance	P Other Funds	R RPTTF	T Admin RPTTF		S Bond Proceeds	T Reserve Balance	U Other Funds	V RPTTF	X Admin RPTTF		
								\$ 28,588,249		\$ 9,657,920	\$ -	\$ -	\$ -	\$ 8,600,181	\$ 250,000	\$ 8,850,181	\$ -	\$ -	\$ -	\$ 807,739	\$ -	\$ 807,739	
1	Convention Center / 1993 Tax Allocation Bonds	Bond Reimbursement Agreements	6/1/1993	8/1/2025	US Bank & Trust	Senior Parly Debt re: construction of a convention center	Merged Project Area	\$ 17,838,296	N	\$ 7,251,974				\$ 6,837,344		\$ 6,837,344				\$ 414,630		\$ 414,630.00	
2	Project Area No. 1 / 1995 Tax Allocation Bonds	Bond Reimbursement Agreements	8/1/1995	8/1/2025	US Bank & Trust	Senior Parly Debt re: development of Project Area No. 1	Merged Project Area	\$ 2,473,798	N	\$ 1,018,116				\$ 775,614		\$ 775,614				\$ 242,502		\$ 242,502.00	
4	Low/Mod Housing / 2002 Housing Set-Aside Loan from Fannie Mae	Third Party Loans	2/1/2002	8/1/2029	US Bank & Trust	Senior Parly Debt re: increase, improve and preserve the community's supply of low/mod income housing available	Merged Project Area	\$ 7,227,767	N	\$ 1,035,925				\$ 895,318		\$ 895,318				\$ 140,607		\$ 140,607.00	
10	Ontario Airport Towers / 2007 Owners Participation Agreement	OPA/DDA/Construction	9/4/2007	9/1/2037	Ontario Airport Center, LLC	Third Party Obligation/Contract re: public infrastructure improvements	Merged Project Area	\$ 738,388	N	\$ 81,905				\$ 81,905		\$ 81,905							\$ -
29	Redevelopment Issued Bonds	Fees	6/1/1993	8/1/2029	US Bank & Trust	Operational / Project Direct related expenses	Merged Project Area	\$ 60,000	N	\$ 20,000				\$ 10,000		\$ 10,000				\$ 10,000		\$ 10,000.00	
138	Administration and Overhead Allocation	Admin Costs	7/1/2023	8/30/2024	City of Ontario	Administrative Overhead per H&S 34171(b)	Merged Project Area	\$ 250,000	N	\$ 250,000				\$ -	\$ 250,000	\$ 250,000							\$ -
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City of Ontario Recognized Obligation Payment Schedule (ROPS 23-24) - Report of Cash Balances
July 1, 2020 through June 30, 2021
(Report Amounts in Whole Dollars)

A	B	C	D	E	F	G	H	
		Fund Sources						
		Bond Proceeds		Reserve Balance	Other Funds	RPTTF		
	ROPS 20-21 Cash Balances (07/01/20 - 06/30/21)	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	Comments	
1	Beginning Available Cash Balance (Actual 07/01/20) RPTTF amount should exclude "A" period distribution amount	2,877,281			3,589,539	5,236,875	C1 and F1: Ending Available Cash Balance as reported on ROPS 22-23 Cash Balance form G1: Ending Available Cash Balance as reported on ROPS 22-23 Cash Balance form and ROPS 17-18 PPA amount of \$2,858,615.	
2	Revenue/Income (Actual 06/30/21) RPTTF amount should tie to the ROPS 20-21 total distribution from the County Auditor-Controller					9,301,025	G1: RPTTF Distribution Amount (ROPS 20-21A: \$7,322,004, ROPS 20-21B: \$1,979,021)	
3	Expenditures for ROPS 20-21 Enforceable Obligations (Actual 06/30/21)	0				10,870,335	Actual Expenditures reported on 20-21 PPA form.	
4	Retention of Available Cash Balance (Actual 06/30/21) RPTTF amount retained should only include the amounts distributed as reserve for future period(s)							
5	ROPS 20-21 RPTTF Prior Period Adjustment RPTTF amount should tie to the Agency's ROPS 20-21 PPA form submitted to the CAC	No entry required					1,312,708	PPA amount reported on 20-21 PPA form.
6	Ending Actual Available Cash Balance (06/30/21) C to F = (1 + 2 - 3 - 4), G = (1 + 2 - 3 - 4 - 5)	\$ 2,877,281	\$ 0	\$ 0	\$ 3,589,539	\$ 2,354,857		

City of Ontario Recognized Obligation Payment Schedule (ROPS 23-24) - Notes July 1, 2023 through June 30, 2024

Item #	Notes/Comments