

RESOLUTION NO. FOB 2015-010

**A RESOLUTION OF THE OVERSIGHT BOARD OF THE SUCCESSOR AGENCY TO THE DISSOLVED FONTANA REDEVELOPMENT AGENCY, APPROVING A RECOGNIZED OBLIGATION PAYMENT SCHEDULE PURSUANT TO HEALTH AND SAFETY CODE SECTION 34177(I) FOR JANUARY 1, 2016 THROUGH JUNE 30, 2016.**

**WHEREAS**, pursuant to Health and Safety Code Section 34173(d), the City of Fontana ("RDA Successor Agency") is the successor agency to the dissolved Fontana Redevelopment Agency ("Agency"), as confirmed by Resolution No. 2012-001 adopted on January 10, 2012; and

**WHEREAS**, pursuant to Health and Safety Code Section 34179(a), the Oversight Board is the Successor Agency's oversight board; and

**WHEREAS**, Health and Safety Code Section 34177(I)(2), as modified by the Supreme Court opinion in *California Redevelopment Association, et al. v. Ana Matosantos, et al.*, Case No. S194861, requires 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 January 1, 2016, through June 30, 2016; and

**WHEREAS**, Health and Safety Code Section 34177(I)(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 Recognized Obligation Payment Schedule to the oversight board for approval; and

**WHEREAS**, Health and Safety Code Section 34177(m) requires that the ROPS for the period January 1, 2016, through June 30, 2016, shall be submitted by the RDA Successor Agency to the county auditor-controller, and both the Controller's office 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 October 5, 2015.

**NOW, THEREFORE, THE OVERSIGHT BOARD OF THE 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 ROPS through this Resolution does not commit the Oversight Board to any action that may have a significant effect on the environment. As a result, such action does not constitute a

project subject to the requirements of the California Environmental Quality Act. The City Clerk, acting on behalf of the Oversight Board, 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 Oversight Board hereby approves the ROPS, in substantially the form attached to this Resolution as Exhibit A, pursuant to Health and Safety Code Section 34177.

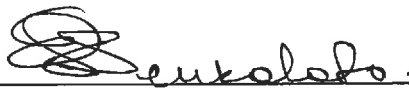
**Section 4. Implementation.** The Oversight Board hereby directs the RDA Successor Agency to submit copies of the ROPS approved by the Oversight Board to the county auditor-controller, and both the Controller's office and the Department of Finance, and posting on the RDA Successor Agency's Internet Web site no later than October 5, 2015.

**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 Oversight Board declares that the Oversight Board 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 Oversight Board, shall certify to the adoption of this Resolution.

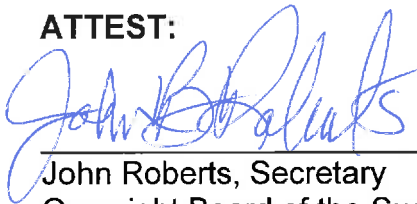
**Section 7. Effective Date.** This Resolution shall become effective immediately upon its adoption.

**APPROVED and ADOPTED** this 18<sup>th</sup> day of September, 2015.



\_\_\_\_\_  
Evelyne Ssenkoloto, Chairperson  
Oversight Board of the Successor Agency to the  
Fontana Redevelopment Agency

**ATTEST:**



\_\_\_\_\_  
John Roberts, Secretary  
Oversight Board of the Successor Agency to the  
Fontana Redevelopment Agency

Resolution No. FOB 2015-010

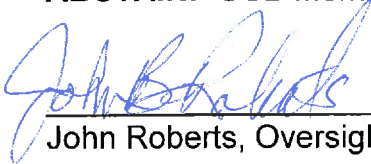
I, John Roberts, acting as the Secretary of the Oversight Board of the Successor Agency to the Fontana Redevelopment Agency, do hereby certify that the foregoing Resolution is the actual Resolution duly and regularly adopted by the Oversight Board of the Successor Agency to the Fontana Redevelopment Agency at a regular meeting on the 18<sup>th</sup> day of September, 2015, by the following vote to-wit:

**AYES:** Chair Ssenkoloto, OSB Members Roberts, Bishop and Brann

**NOES:**

**ABSENT:** Vice Chair Warren; OSB Member Mancha

**ABSTAIN:** OSB Member Bassett (due to possible conflict with pending litigation)



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John Roberts, Oversight Board Secretary

**EXHIBIT A**

**RECOGNIZED OBLIGATION PAYMENT SCHEDULE**  
**FOR JANUARY 1, 2016, THROUGH JUNE 30, 2016**

**[Attached behind this page]**

**Recognized Obligation Payment Schedule (ROPS 15-16B) - Summary**  
 Filed for the January 1, 2016 through June 30, 2016 Period

Name of Successor Agency: Fontana  
 Name of County: San Bernardino

Current Period Requested Funding for Outstanding Debt or Obligation	Six-Month Total
<b>Enforceable Obligations Funded with Non-Redevelopment Property Tax Trust Fund (RPTTF) Funding</b>	
<b>A Sources (B+C+D):</b>	<b>\$ 1,640,053</b>
B Bond Proceeds Funding (ROPS Detail)	-
C Reserve Balance Funding (ROPS Detail)	-
D Other Funding (ROPS Detail)	1,640,053
<b>E Enforceable Obligations Funded with RPTTF Funding (F+G):</b>	<b>\$ 30,842,459</b>
F Non-Administrative Costs (ROPS Detail)	29,944,135
G Administrative Costs (ROPS Detail)	898,324
<b>H Total Current Period Enforceable Obligations (A+E):</b>	<b>\$ 32,482,512</b>

Successor Agency Self-Reported Prior Period Adjustment to Current Period RPTTF Requested Funding	
I Enforceable Obligations funded with RPTTF (E):	30,842,459
J Less Prior Period Adjustment (Report of Prior Period Adjustments Column S)	(82,819)
<b>K Adjusted Current Period RPTTF Requested Funding (I-J)</b>	<b>\$ 30,753,640</b>

County Auditor Controller Reported Prior Period Adjustment to Current Period RPTTF Requested Funding	
L Enforceable Obligations funded with RPTTF (E):	30,842,459
M Less Prior Period Adjustment (Report of Prior Period Adjustments Column AA)	-
<b>N Adjusted Current Period RPTTF Requested Funding (L-M)</b>	<b>30,842,459</b>

Certification of Oversight Board Chairman:  
 Pursuant to Section 34177 (m) 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 agency.

\_\_\_\_\_  
 Name Title  
 /s/ \_\_\_\_\_  
 Signature Date

**Fontana Recognized Obligation Payment Schedule (ROPS 15-16B) - ROPS Detail**  
**January 1, 2016 through June 30, 2016**  
 (Report Amounts in Whole Dollars)

A	B	C	D	E	F	G	H	I	J	K					P
										Funding Source					
										Non-Redevelopment Property Tax Trust Fund (Non-RPTTF)			RPTTF		
										Bond Proceeds	Reserve Balance	Other Funds	Non-Admin	Admin	
Item #	Project Name / Debt Obligation	Obligation Type	Contract/Agreement Execution Date	Contract/Agreement Termination Date	Payee	Description/Project Scope	Project Area	Total Outstanding Debt or Obligation	Retired	Bond Proceeds	Reserve Balance	Other Funds	Non-Admin	Admin	Six-Month Total
1	2000 Tax Allocation Refunding Bonds	Bonds Issued On or Before 12/31/10	12/13/2000	9/1/2021	Wells Fargo (Trustee)	Debt service for refunding bonds - non-housing projects	Downtown	\$ 6,487,250	N	\$	\$	\$ 1,840,053	\$ 20,944,136	\$ 609,324	\$ 20,482,512
4	2000 Tax Allocation Refunding Bonds	Fees	12/13/2000	9/1/2021	Wells Fargo (Trustee)	Trustee fees	Downtown	18,900	N				455,625		\$ 455,625
5	2000 Tax Allocation Refunding Bonds	Fees	12/13/2000	9/1/2021	Bond Logistics	Arbitrage rebate calculation fees	Downtown	19,250	N						\$
6	1997A Tax Allocation Refunding Bonds	Bonds Issued On or Before 12/31/10	12/5/1997	10/1/2027	US Bank (Trustee)	Debt service for refunding bonds - non-housing projects	Jurupa Hills	58,421,875	N				1,592,850		\$ 1,592,850
8	1997A Tax Allocation Refunding Bonds	Fees	12/5/1997	10/1/2027	US Bank (Trustee)	Trustee fees	Jurupa Hills	54,800	N				13,000		\$ 13,000
9	1997A Tax Allocation Refunding Bonds	Fees	12/5/1997	10/1/2027	Bond Logistics	Arbitrage rebate calculation fees	Jurupa Hills		N						\$
10	1999A Tax Allocation Refunding Bonds	Bonds Issued On or Before 12/31/10	8/10/1999	10/1/2027	US Bank (Trustee)	Debt service for refunding bonds - non-housing projects	Jurupa Hills	13,537,095	N				1,405,713		\$ 1,405,713
12	1999A Tax Allocation Refunding Bonds	Fees	8/10/1999	10/1/2027	US Bank (Trustee)	Trustee fees	Jurupa Hills	78,000	N				4,200		\$ 4,200
13	1999A Tax Allocation Refunding Bonds	Fees	8/10/1999	10/1/2027	Bond Logistics	Arbitrage rebate calculation fees	Jurupa Hills	35,750	N				2,750		\$ 2,750
14	2001A Tax Allocation Revenue Bonds	Revenue Bonds Issued On or Before 12/31/10	3/1/2001	9/1/2033	US Bank (Trustee)	Debt service for refunding bonds - non-housing projects	North Fontana	25,058,200	N				2,327,538		\$ 2,327,538
16	2001A Tax Allocation Revenue Bonds	Fees	3/1/2001	9/1/2033	US Bank (Trustee)	Trustee fees	North Fontana	27,000	N				3,000		\$ 3,000
17	2003A Tax Allocation Revenue Bonds	Revenue Bonds Issued On or Before 12/31/10	10/16/2003	9/1/2032	US Bank (Trustee)	Debt service for bonds - non-housing projects	North Fontana	60,960,729	N				1,316,511		\$ 1,316,511
18	2003B Tax Allocation Revenue Bonds	Revenue Bonds Issued On or Before 12/31/10	10/16/2003	9/1/2032	US Bank (Trustee)	Debt service for bonds - housing projects	North Fontana	13,521,105	N				344,733		\$ 344,733
21	2003A&B Tax Allocation Revenue Bonds	Fees	10/16/2003	9/1/2032	US Bank (Trustee)	Trustee fees	North Fontana	50,400	N						\$
22	2005A Subordinate Tax Allocation Bonds	Bonds Issued On or Before 12/31/10	1/20/2005	10/1/2032	US Bank (Trustee)	Debt service for bonds - non-housing projects	North Fontana	161,755,550	N				4,193,925		\$ 4,193,925
24	2005A Subordinate Tax Allocation Bonds	Fees	1/20/2005	10/1/2032	US Bank (Trustee)	Trustee fees	North Fontana	75,600	N				4,200		\$ 4,200
25	1991 Jr Lien Tax Allocation Bonds	Bonds Issued On or Before 12/31/10	1/1/1991	8/10/2032	US Bank (Trustee)	Non-housing projects	North Fontana	72,782,341	N				4,281,314		\$ 4,281,314
26	2004 Tax Allocation Bonds	Bonds Issued On or Before 12/31/10	7/8/2004	9/1/2034	US Bank (Trustee)	Debt service for bonds - non-housing projects	Sierra Corridor	17,523,960	N				480,675		\$ 480,675
29	2004 Tax Allocation Bonds	Fees	7/8/2004	9/1/2034	US Bank (Trustee)	Trustee fees	Sierra Corridor	30,000	N						\$
30	2007 Tax Allocation Bonds	Bonds Issued On or Before 12/31/10	3/22/2007	9/1/2036	US Bank (Trustee)	Debt service for bonds - non-housing projects	Sierra Corridor	55,946,225	N				1,287,550		\$ 1,287,550
32	2007 Tax Allocation Bonds	Fees	3/22/2007	9/1/2036	US Bank (Trustee)	Trustee fees	Sierra Corridor	39,600	N				1,800		\$ 1,800
33	1998 Tax Allocation Refunding Bonds	Bonds Issued On or Before 12/31/10	8/14/1998	9/1/2030	BNY Mellon (Trustee)	Debt service for refunding bonds - non-housing projects	SWIP	37,641,263	N				1,348,365		\$ 1,348,365
35	1998 Tax Allocation Refunding Bonds	Fees	8/14/1998	9/1/2030	BNY Mellon (Trustee)	Trustee fees	SWIP	28,800	N						\$
36	2003 Subordinate Tax Allocation Bonds	Bonds Issued On or Before 12/31/10	11/6/2003	10/1/2033	BNY Mellon (Trustee)	Debt service for bonds - non-housing projects	SWIP	21,983,803	N				589,835		\$ 589,835
39	2003 Subordinate Tax Allocation Bonds	Fees	11/6/2003	10/1/2033	BNY Mellon (Trustee)	Trustee fees	SWIP	47,500	N						\$
40	2003 PFA Lease Revenue Bonds	Revenue Bonds Issued On or Before 12/31/10	2/12/2003	3/1/2016	BNY Mellon (Trustee)	Reimbursement agreement for debt service (non-housing)	SWIP	761,025	N				761,025		\$ 761,025
43	2003 PFA Lease Revenue Bonds	Fees	2/12/2003	3/1/2016	BNY Mellon (Trustee)	Trustee fees	SWIP	3,200	N				3,200		\$ 3,200

**Fontana Recognized Obligation Payment Schedule (ROPS 15-16B) - ROPS Detail**  
**January 1, 2016 through June 30, 2016**  
 (Report Amounts in Whole Dollars)

A	B	C	D	E	F	G	H	I	J	K					P
										Funding Source					
										Non-Redevelopment Property Tax Trust Fund (Non-RPTTF)			RPTTF		
Item #	Project Name / Debt Obligation	Obligation Type	Contract/Agreement Execution Date	Contract/Agreement Termination Date	Payee	Description/Project Scope	Project Area	Total Outstanding Debt or Obligation	Retired	Bond Proceeds	Reserve Balance	Other Funds	Non-Admin	Admin	Six-Month Total
51	Owner Participation Agreement	OPA/GDA/Construction	1/1/1983	1/1/1983	Ten Ninety Ltd	Public improvement costs	Jurupa Hills	200,000,000	N				6,000,000		\$ 6,000,000
53	Lease Agreement	Miscellaneous	9/6/1994	9/6/2032	Earl Buchanan	Tamarind Basin lease agreement	Jurupa Hills	120,000	N						\$
55	Housing Fund Loan	SERAF/ERAF	1/1/2011	6/30/2044	LMIHF Successor	Funds borrowed for ERAF/SERAF payments	All	19,410,397	N			1,640,053	3,453,040		\$ 5,093,093
56	Loan payments pursuant to HSC Section 34191.4(b)	City/County Loans On or Before 6/27/11	1/1/1981	6/30/2036	City of Fontana General Fund	Project administrative costs advanced	Downtown	787,838	N						\$
57	Loan payments pursuant to HSC Section 34191.4(b)	City/County Loans On or Before 6/27/11	12/16/1986	6/30/2032	City of Fontana Sewer Fund	Public improvement costs	Jurupa Hills	3,305,829	N						\$
58	Property Purchase Agreement	Improvement/Infrastructure	3/11/2008	6/30/2033	City of Fontana GF/MSFIF	Property purchase	North Fontana	41,713,080	N						\$
67	Property Disposition Plan	Property Dispositions	6/24/2012	6/30/2015	RSG, Inc	Address transfer, sale and disposition of RDA properties	All		N					698,324	\$ 698,324
68	Administrative Costs	Admin Costs	7/1/2015	6/30/2016	City of Fontana	Cost allocation plan for FY 2015/16 (limited to 3%)	All	698,324	N						\$ 698,324
69	Weed abatement of RDA owned property	Property Maintenance	6/16/2012	6/30/2014	California Landscape	Weed abatement services on RDA owned properties	All		N						\$
83	Fontana USD vs Successor Agency	Litigation	1/1/2015	6/30/2015	Beal, Beal & Krieger	Legal services	North Fontana	40,000	N				10,000		\$ 10,000
84	Adv Libreria Del Pueblo, Inc	Litigation	1/1/2015	6/30/2015	Beal, Beal & Krieger	Legal services	Jurupa Hills	320,000	N				80,000		\$ 80,000
85	Housing Entity Administrative Cost Allowance	Housing Entity Admin Cost	7/1/2014	7/1/2018	Fontana Housing Authority	Housing entity administrative costs			N						\$
86	RDA property disposition	Fees	7/10/2014	6/30/2015	HPC Consulting	Property marketing flyer		5,250	N					5,250	\$ 5,250
87									N						\$
88									N						\$
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115									N						\$



**Fontana Recognized Obligation Payment Schedule (ROPS 15-16B) - Report of Cash Balances  
(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. For tips on how to complete the Report of Cash Balances Form, see [\[INSERT URL LINK TO CASH BALANCE TIPS SHEET\]](#)

A	B	C	D	E	F	G	H	I	
		<b>Fund Sources</b>							
		<b>Bond Proceeds</b>		<b>Reserve Balance</b>		<b>Other</b>	<b>RPTTF</b>		
	<b>Cash Balance Information by ROPS Period</b>	Bonds issued on or before 12/31/10	Bonds issued on or after 01/01/11	Prior ROPS period balances and DDR RPTTF balances retained	Prior ROPS RPTTF distributed as reserve for future period(s)	Rent, Grants, Interest, Etc.	Non-Admin and Admin	<b>Comments</b>	
<b>ROPS 14-15B Actuals (01/01/15 - 06/30/15)</b>									
1	Beginning Available Cash Balance (Actual 01/01/15)	9,349,930				1,616,307	2,489,917		
2	Revenue/Income (Actual 06/30/15) RPTTF amounts should tie to the ROPS 14-15B distribution from the County Auditor-Controller during January 2015					1,640,053	23,061,730		
3	Expenditures for ROPS 14-15B Enforceable Obligations (Actual 06/30/15) RPTTF amounts, H3 plus H4 should equal total reported actual expenditures in the Report of PPA, Columns L and Q					1,179,847	17,831,198		
4	Retention of Available Cash Balance (Actual 06/30/15) RPTTF amount retained should only include the amounts distributed as reserve for future period(s)						6,795,000		
5	ROPS 14-15B RPTTF Prior Period Adjustment RPTTF amount should tie to the self-reported ROPS 14-15B PPA in the Report of PPA, Column S			No entry required				88,810	
6	Ending Actual Available Cash Balance C to G = (1 + 2 - 3 - 4), H = (1 + 2 - 3 - 4 - 5)	\$ 9,349,930	\$ -	\$ -	\$ -	\$ 2,076,513	\$ 836,630		
<b>ROPS 15-16A Estimate (07/01/15 - 12/31/15)</b>									
7	Beginning Available Cash Balance (Actual 07/01/15) (C, D, E, G = 4 + 6, F = H4 + F4 + F8, and H = 5 + 6)	\$ 9,349,930	\$ -	\$ -	\$ 6,795,000	\$ 2,076,513	\$ 925,446		
8	Revenue/Income (Estimate 12/31/15) RPTTF amounts should tie to the ROPS 14-15B distribution from the County Auditor-Controller during June 2015						15,076,955		
9	Expenditures for ROPS 14-15B Enforceable Obligations (Estimate 12/31/15)				6,795,000	436,460	15,913,585		
10	Retention of Available Cash Balance (Estimate 12/31/15) RPTTF amount retained should only include the amounts distributed as reserve for future period(s)								
11	Ending Estimated Available Cash Balance (7 + 8 - 9 - 10)	\$ 9,349,930	\$ -	\$ -	\$ -	\$ 1,640,053	\$ 88,810		







