

# AGENDA

## OVERSIGHT BOARD MEETING

### FONTANA REDEVELOPMENT SUCCESSOR AGENCY

**FRIDAY, JULY 24, 2015  
8:30 A.M.**

**Fontana City Hall  
Executive Conference Room  
8353 Sierra Avenue  
Fontana, CA 92335**

---

**EVELYNE SSENKOLOTO, Chair**  
City of Fontana  
Employee Appointment

**ACQUANETTA WARREN, Vice-Chair**  
City of Fontana  
Mayor Appointment

**RANDAL S. BASSETT**  
Fontana Unified School District  
County Superintendent of Education Appointment

**DR. ERIC BISHOP**  
Chaffey College District  
Chaffey College Appointment

**LAURA A. MANCHA**  
County of San Bernardino  
Board of Supervisors Appointment  
Public Member Appointment

**KATHRYN BRANN**  
County of San Bernardino  
Board of Supervisors Appointment

**JOHN B. ROBERTS**  
City of Fontana  
Fontana Fire Protection District Appointment

---

In compliance with the Americans with Disabilities Act, the City of Fontana is wheelchair accessible. If other special Assistance is required, please contact the Fontana City Clerk's Office (909-350-7602) 48 hours prior to the scheduled meeting so the Oversight Board can make reasonable arrangements.



Next Res. No. FOB 2015-09

**CITY OF FONTANA  
OVERSIGHT BOARD MEETING/FONTANA SUCCESSOR  
AGENCY**  
**July 24, 2015**  
**City Hall - Executive Conference Room**  
**8353 Sierra Ave**  
**Fontana, CA 92335**  
**8:30 AM**

**Welcome to a meeting of the Fontana Oversight Board.** A complete agenda packet is located in the binder on the table in the City Hall Executive Conference Room, 8353 Sierra Avenue, Fontana, CA 92335. To address the Board, 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 Board Secretary. Your name will be called when it is your turn to speak. In compliance with Americans with Disabilities Act, the Executive Conference Room, 8353 Sierra Avenue, Fontana, CA 92335 is wheel chair accessible and a portable microphone is available.

Traduccion en Espanol disponible a peticion. Favor de notificar al Departamento "City Clerk". Para mayor informacion, favor de marcar el numero (909) 350-7602.

**CALL TO ORDER/ROLL CALL:**

**A. 8:30 A.M. Call the Meeting to Order**

**PUBLIC COMMUNICATIONS:**

**This is an opportunity** for citizens to speak to the Oversight Board for up to 5 minutes on items **not** on the Agenda, but within the Board's jurisdiction. The Board 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 Board votes on them, unless a member of the Board requests a specific item be removed from the Consent Calendar for discussion. **Does any member of the public wish to address the Board regarding any item on the Consent Calendar before the vote is taken?**

### **A. Approval of Minutes**

Approve the minutes of the May 15, 2015, Oversight Board Meeting.

### **B. Oversight Board Staff Report (Amended Resolution - SCE Properties)**

1) Adopt Amended **Resolution No. FOB 2015-09** approving the sale of the Former Fontana Redevelopment Agency properties identified as APN #019339129, #023739183, #019340124-25, #023621151 & 55, #023622521, 25 and 32 - located within the Southern California Edison (SCE) Easement – to the City of Fontana;

2) Authorize the City Manager to negotiate and execute Purchase and Sale Agreements and/or any other documents necessary or appropriate to implement said sales on behalf of the Fontana Oversight Board; and

3) 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).**

## **BOARD MEMBER REPORTS:**

### **A. Board Member Reports**

## **STAFF COMMUNICATIONS:**

### **A. Staff Communications**

## **ADJOURNMENT:**

**A.** The next Oversight Board meeting is scheduled for Friday, September 18, 2015, at 8:30 a.m. in the Fontana City Hall, Executive Conference Room located at 8353 Sierra Avenue, Fontana, CA 92335.

**MINUTES OF THE CITY OF FONTANA  
OVERSIGHT BOARD MEETING/FONTANA SUCCESSOR  
AGENCY**

**May 15, 2015  
City Hall - Executive Conference Room**

---

**CALL TO ORDER/ROLL CALL:**

**A. 8:30 A.M Call the Meeting to Order**

The Meeting of the Oversight Board, Fontana Redevelopment Successor Agency, was called to order at 8:36 a.m., which was held on Friday, May 15, 2015, in the Fontana City Hall, Executive Conference Room, 8353 Sierra Avenue, Fontana, California.

OSB Members Present: Chair Evelyne Ssenkoloto, Vice-Chair Acquanetta Warren, and OSB Members John Roberts, Dr. Eric Bishop, and Randal Bassett.

OSB Members Absent: OSB Members Kathryn Brann and Laura Mancha.

OSB Staff Present: Ken Hunt, City Manager; David Edgar, Deputy City Manager, Administrative Services; Cecilia Lopez-Henderson, Deputy City Clerk; Gerardo Rojas, Administrative Clerk.

**PUBLIC COMMUNICATIONS:**

**A. Public Communications**

There were no public communications received.

**CONSENT CALENDAR:**

**A. Approval of Minutes**

Approve the minutes of the February 20, 2015, Oversight Board Meeting.

**ACTION:** Motion was made by OSB Member Warren, and seconded by OSB Member Bishop to approve the February 20, 2015 Minutes of the Oversight Board Meeting, Fontana Redevelopment Successor Agency. Motion passed by vote of 5-0-2 (Ayes: OSB Members Ssenkoloto, Warren, Roberts, Bishop, and Bassett; Noes: 0; Absent: OSB Members Brann and Mancha).

**B. Sale of Properties - Round #2 Long Range Property Management Plan (LRPMP)**

- 1.) Adopt **Resolution No. FOB 2015-02** approving the sale of the former Fontana Redevelopment Agency property located at 6580 Oleander Avenue (Fontana Auto Center) to VRP Inc.;
- 2.) Adopt **Resolution No. FOB 2015-03** approving the sale of the former Fontana Redevelopment Agency property located at 6384 Knox Avenue to New Legacy Development Corporation;
- 3.) Adopt **Resolution No. FOB 2015-04** approving the sale of the former Fontana Redevelopment Agency property located at 9432 Sierra Avenue (adjacent to Westech College) to Dix Development Inc.;
- 4.) Adopt **Resolution No. FOB 2015-05** approving the sale of the former Fontana Redevelopment Agency properties identified as APN #019339129, #019340117, #019340124-25, #023621151 & 55, #023622521, 25 and 32 - located within the Southern California Edison (SCE) Easement – to the City of Fontana;
- 5.) Adopt **Resolution No. FOB 2015-06** approving the sale of the former Fontana Redevelopment Agency property identified as APN #022607547 - located at the I15 & Duncan Canyon - to the City of Fontana;
- 6.) Adopt **Resolution No. FOB 2015-07** approving the sale of the former Fontana Redevelopment agency property identified as APN #019215122 – located on Wheeler Avenue in Downtown Fontana - to the City of Fontana;
- 7.) Adopt **Resolution No. FOB 2015-08** approving the sale of the former Fontana Redevelopment agency properties identified as APN #022830102, 03, 07, 08 & 52 - located at South Highland and Citrus Avenues - to the City of Fontana;
- 8.) Authorize the City Manager to negotiate and execute purchase and sale agreements and/or any other documents necessary or appropriate to implement said sales on behalf of the Fontana Oversight Board; and
- 9) Determine that this action is exempt from the California Environmental Quality Act (CEQA), and direct staff to file a Notice of Exemption.

David Edgar, Deputy City Manager, provided a staff report on the status of all properties formerly owned by the former Fontana Redevelopment Agency. Mr. Edgar covered all pending “for sale” properties, detailed their parcel

characteristics, and described each proposed owner. He categorized the seven properties under two categories: (1) parcels to be transferred to private sector parties; and (2) parcels to be sold to the City of Fontana. With the sale of these seven properties, the Fontana Successor Agency would complete the dissolution of all “for sale” properties formerly owned by the City of Fontana Redevelopment Agency. Mr. Edgar concluded his report by estimating the date of transfer of all properties would be by the Fall of 2015.

**ACTION:** Motion was made by OSB Member Bishop, and seconded by OSB Member Warren and passed by vote of 5-0-2 to approve Consent Calendar Item “B” (Ayes: OSB Members Ssenkoloto, Warren, Roberts, Bishop, and Bassett; Noes: 0; Absent: Mancha and Brann).

## **BOARD MEMBER REPORTS:**

### **A. Board Member Reports**

There were no Board Member Communications received.

## **STAFF COMMUNICATIONS:**

### **A. Staff Communications**

There were no Staff/Board Member Communications received.

## **ADJOURNMENT:**

Chair Ssenkoloto announced that the next Fontana Oversight Board Meeting would be held on Friday, September 18, 2015, at 8:30 a.m. in the Fontana City Hall, Executive Conference Room, located at 8353 Sierra Avenue, Fontana, CA 92335. The OSB Meeting was adjourned at 8:44 a.m.

---

John Roberts  
Secretary

---

Evelyne Ssenkoloto  
Chair



**ACTION REPORT**  
**July 24, 2015**

**FROM:** Department of Administrative Services

**SUBJECT:** Oversight Board Staff Report (Amended Resolution - SCE Properties)

---

**RECOMMENDATION:**

- 1) Adopt Amended **Resolution No. FOB 2015-09** approving the sale of the Former Fontana Redevelopment Agency properties identified as APN #019339129, #023739183, #019340124-25, #023621151 & 55, #023622521, 25 and 32 - located within the Southern California Edison (SCE) Easement – to the City of Fontana;
- 2) Authorize the City Manager to negotiate and execute Purchase and Sale Agreements and/or any other documents necessary or appropriate to implement said sales on behalf of the Fontana Oversight Board; and
- 3) 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 promote economic development by pursuing business retention, expansion and attraction.
- \* To promote economic development by striving to constantly improve the city's competitiveness.

**DISCUSSION:**

As required by AB 1484 the Successor Agency to the Fontana Redevelopment Agency prepared a Long-Range Property Management Plan (LRPMP).

The Successor Agency LRPMP addresses the transfer, disposition and future use of one-hundred sixteen (116) properties previously owned by the former Fontana Redevelopment Agency.

The LRPMP identified ten (10) categories of former RDA properties to be offered "for sale". Each of the LRPMP properties identified as "for sale" were placed on the market and advertised through the real estate brokerage community from August 1<sup>st</sup> 2014 through October 1<sup>st</sup>, 2014. Through that process, the Successor Agency and Oversight Board

approved the sale of five (5) LRPMP properties.

The sale of those properties was subsequently approved by the State Department of Finance (DOF) and those sale transactions and escrows have been fully completed.

As a follow-up to the original offering, the remaining LRPMP “for sale” properties were placed on the market and advertised through the real estate brokerage community from February 1<sup>st</sup> through March 30<sup>th</sup>.

Through that process, the Successor Agency received offers on three properties from private-parties/companies. In addition, the City of Fontana also identified four properties to be acquired and retained for public use.

The sale of these seven properties was approved by the Oversight Board on Friday, May 15<sup>th</sup>, 2015 and by the State Department of Finance (DOF) on Friday, July 3<sup>rd</sup>, 2015.

With regard to sale of those properties located within the SCE Easement, the State noted that the OSB Resolution included a parcel (APN #0193-401-17) which was intended to be transferred for “Government Purpose”. The State approval, therefore, only included eight SCE Easement parcels. In addition, the OSB Resolution did not include one additional parcel (APN #0237-391-83) which is located within the SCE Easement and is also to be included within the sale.

In order to correct the discrepancies identified by DOF, and at their suggestion and request, Staff has prepared an Amended Resolution for the sale of the SCE Easement properties.

The following information is re-presented in conjunction with the proposed sale:

- SCE Easement Properties

Located within the Southern California Edison easement in South Fontana, these nine (9) parcels encompass approximately 55 acres of land.

The City of Fontana has submitted an offer for the acquisition of these nine parcels of land.

The offer price is \$25,000.

There are currently no intended or specific uses for the land, other than to preserve the property as "open space".

The Successor Agency does not assert any rights or make any claims regarding the retention or use of sale proceeds from any property identified within the LRPMP (other than those costs/expenses directly related to the sale).

Therefore, following the sale of these properties, all of the net sale proceeds will be submitted to the County of San Bernardino Auditor-Controller's Office ("Auditor's Office") for disbursement to the affected taxing entities.

Adoption of the attached Amended Resolution by the Oversight Board will facilitate the sale and disposition of the SCE Easement properties (by the City of Fontana), which were previously owned by the former Fontana Redevelopment Agency, in compliance with AB 1484.

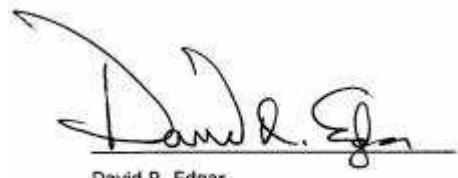
**FISCAL IMPACT:**

None.

**MOTION:**

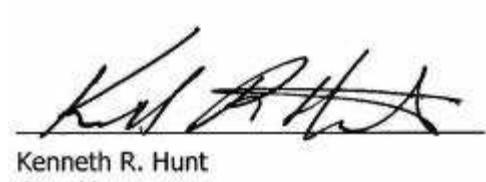
Approve staff recommendation.

**SUBMITTED BY:**



David R. Edgar  
Deputy City Manager

**APPROVED BY:**



Kenneth R. Hunt  
City Manager

**ATTACHMENTS:**

Description:

[Oversight Board Amended Resolution](#)

Type:

Backup Material

**ITEM: CC-B**

**AMENDED RESOLUTION NO. \_\_\_\_\_**

**AN AMENDED RESOLUTION OF THE OVERSIGHT BOARD FOR THE SUCCESSOR AGENCY TO THE FONTANA REDEVELOPMENT AGENCY APPROVING THE SALE OF REAL PROPERTY IDENTIFIED AS APN #019339129, #023739183, #019340124-25, #023621151 & 023621155, #023622521, 023622525 AND 023622532 - LOCATED WITHIN THE SOUTHERN CALIFORNIA EDISON (SCE) EASEMENT - AND AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND EXECUTE A PURCHASE AND SALE AGREEMENT ON BEHALF OF THE SUCCESSOR AGENCY TO THE FONTANA REDEVELOPMENT AGENCY**

**WHEREAS**, pursuant to Health and Safety Code section 34173(d), the City of Fontana (“Successor Agency”) is the successor agency to the former Fontana Redevelopment Agency (“Agency”); and

**WHEREAS**, The Oversight Board for the Successor Agency (“Oversight Board”) was established pursuant to Health and Safety Code Section 34179(a); and

**WHEREAS**, prior to its dissolution the Agency purchased that certain real property identified as APN #019339129, #023739183, #019340124-25, #023621151 & 023621155, #023622521, 023622525 AND 023622532 in the City of Fontana, California (“Property”); and

**WHEREAS**, upon the Agency’s dissolution the Agency’s assets, including the Property, automatically transferred to the Successor Agency; and

**WHEREAS**, the City of Fontana (“Buyer”) has offered to purchase the Property for \$25,000 which the Successor Agency has determined is a fair market value; and

**WHEREAS**, Health and Safety Code section 34177(e) requires the Successor Agency to dispose of assets and properties of the former Agency as directed by the Oversight Board, to be done expeditiously and in a manner aimed at maximizing value; and

**WHEREAS**, the Successor Agency and Buyer desire to negotiate and execute a Real Property Purchase and Sale Agreement and Joint Escrow Instructions (“Agreement”), in which the Successor Agency agrees to sell to Buyer and Buyer agrees to purchase from the Successor Agency the Property; and

**WHEREAS**, all other legal prerequisites to the adoption of this Resolution have occurred.

**NOW, THEREFORE, THE GOVERNING BOARD OF THE OVERSIGHT BOARD TO THE SUCCESSOR AGENCY TO THE FONTANA REDEVELOPMENT AGENCY DOES HEREBY RESOLVE 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.** Pursuant to California Environmental Quality Act (Pub. Resources Code, §§ 21000 et seq.) ("CEQA") and the State and local CEQA Guidelines, the governing board of the Oversight Board to the Successor Agency determines that its approval of the sale of the Property and authorization to execute the Agreement is not an action that may have a significant effect on the environment, because it is only a transfer of property. The City Clerk, acting on behalf of the Oversight Board to the 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 Sale of Property.** The Governing Board of the Oversight Board to the Successor Agency hereby approves the sale of the Property to Buyer in the amount of \$25,000.

**Section 4. Implementation.** The City Manager or his or her designee is hereby authorized and directed to, on behalf of the Oversight Board to the Successor Agency, negotiate and execute the Agreement with Buyer and to take any action necessary to carry out the purposes of this Resolution in compliance with applicable law, including taking any actions necessary to transfer the Property to Buyer.

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

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

**PASSED AND ADOPTED THIS 24<sup>th</sup> day of July, 2015.**

---

Mayor

ATTEST:

---

City Clerk

STATE OF CALIFORNIA )  
COUNTY OF SAN BERNARDINO ) ss.  
CITY OF FONTANA )

I, \_\_\_\_\_, City Clerk of the City of Fontana, on behalf of the Oversight Board to the Successor Agency to the Fontana Redevelopment Agency, do hereby certify that the foregoing Resolution No. \_\_\_\_\_ was duly and regularly adopted by the Oversight Board to the Successor Agency to the Fontana Redevelopment Agency at a regular meeting thereof on the \_\_\_\_\_ day of October, 2014 and that the same was passed and adopted by the following vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

---

\_\_\_\_\_, City Clerk