

**AGENDA**  
**OVERSIGHT BOARD MEETING**  
**FONTANA REDEVELOPMENT SUCCESSOR AGENCY**

**FRIDAY, JUNE 14, 2013**  
**9:00 A.M.**

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

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

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

**SUSAN KILLIAN**  
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

**(VACANT)**  
County of San Bernardino  
Board of Supervisors Appointment

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

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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.

**AGENDA**  
**OVERSIGHT BOARD MEETING**  
**FONTANA REDEVELOPMENT SUCCESSOR AGENCY**  
**FRIDAY, JUNE 14, 2013**  
**9:00 A.M.**

This meeting will take place in the Fontana City Hall – Executive Conference Room located at 8353 Sierra Avenue, Fontana, CA 92335

Welcome to a meeting of the Oversight Board – Fontana Redevelopment Successor Agency. A complete agenda packet is located on the table in the Executive Conference Room. To address the Board, please fill out a card located at the entrance indicating your desire to speak on either a specific agenda item or under Public Communications and give it to the Recording Secretary. Your name will be called when it is your turn to speak. In compliance with Americans with Disabilities Act, the Executive Conference Room is wheel chair accessible.

**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:**

**PUBLIC COMMUNICATIONS:**

This is an opportunity for citizens to speak for up to five minutes on items not on the agenda, but within the Oversight Board's jurisdiction. The Board is prohibited by law from discussing or taking immediate action on non-agendized items.

**ITEMS (A-E):**

- A. Oath of Office (Kathryn Brann-San Bernardino County Board of Supervisors Appointment)
- B. Appointment of Secretary
- C. Approval of Minutes from April 19, 2013 Fontana Oversight Board Meeting
- D. Resolution Approving the Long-Range Property Management Plan (PMP)
- E. Staff/Board Member Communication

**ADJOURNMENT:**

**Next Meeting:** Next Oversight Board meeting is scheduled for Friday, September 20, 2013 at 9:00 a.m. in the Fontana City Hall, Executive Conference Room located at 8353 Sierra Avenue, Fontana, CA 92335.

**MINUTES OF THE OVERSIGHT BOARD  
FONTANA REDEVELOPMENT SUCCESSOR AGENCY  
FRIDAY, APRIL 19, 2013**

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**CALL TO ORDER/ROLL CALL:**

The Meeting of the Oversight Board, Fontana Redevelopment Successor Agency, was called to order at 9:08 a.m., which was held on Friday, April 19, 2013, 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 Dr. Eric Bishop, Lynne Fischer, Susan Killian, John Roberts, and Laura Mancha. OSB Members Absent: None.

OSB Staff Present: Kenneth R. Hunt, City Manager; David Edgar, Deputy City Manager, Administrative Services; Cecilia Lopez-Henderson, Acting Deputy City Clerk; and Gerardo Rojas, Recording Secretary.

Others Present: Council Member Jesus Sandoval; Elisa Grey, Economic Development Manager; and RSG Advisors Hitta Mosesman and Felise Acosta; and Fontana resident Michael Espinoza.

**PUBLIC COMMUNICATIONS:** There were no public communications received.

**A. APPROVAL OF MINUTES FROM FEBRUARY 22, 2013 MEETING**

**ACTION:** Motion was made by OSB Member Roberts and seconded by OSB Member Bishop to approve the February 22, 2013 Minutes of the Oversight Board Meeting, Fontana Redevelopment Successor Agency. Motion passed by vote of Ayes: 6; Noes: 0; Abstain: 1 (OSB Member Mancha).

**B. PRESENTATION OF PROPERTIES IDENTIFIED IN THE PROPERTY MANAGEMENT PLAN (PMP).**

David Edgar, Deputy City Manager, provided staff with a presentation of all properties identified under the Property Management Plan. All properties mentioned were formerly owned by the Redevelopment Agency of the City of Fontana and have since been transferred to the City of Fontana Redevelopment Successor Agency. Before ultimately being transferred to the State of California, properties will be transferred from the Successor Agency to a property trust, another legal entity, before being transferred to the State of California. Before this occurs, the State of California Department of Finance (DOF) has asked the Fontana Redevelopment Successor Agency to prepare a

Property Management Plan for the disposition of all 114 parcels owned by the agency. As part of his presentation, Mr. Edgar described all properties by their location, disposition, and intended land use. A map outlining the property locations is on file with the City Clerk's Department. For his presentation, all properties were divided into three sections of the City (North, Central, and South) and classified under six distinct categories as follows:

1. Properties that are used for a public purpose;
2. Properties that will be transferred under an existing agreement/contract;
3. Properties that will be sold/put on the open market;
4. Properties that will be transferred to a school district/Chaffey College;
5. Remnant properties; and
6. Properties that have an existing agreement with the Department of Fish and Wildlife.

Discussion arose concerning the fly habitat preserve, Department of Fish and Wildlife lands, in south Fontana.

Mr. Edgar described all 114 properties by section and category and concluded by providing a timeline of future events and an estimated timeframe for completion as follows:

<u>May 2013:</u>	Property Management Plan completed;
<u>May 28, 2013:</u>	Property Management Plan presented to Fontana Redevelopment Successor Agency;
<u>End of May 2013:</u>	Due Diligence Review approved by Department of Finance (DOF);
<u>June 14, 2013:</u>	Property Management Plan is presented to Fontana Oversight Board;
<u>June 30, 2013:</u>	Property Management Plan submitted to the State of California;
<u>120 Days After:</u>	Property Management Plan approved by State of California and a Notice of Completion/Finding of Completion is issued.

Mr. Edgar stated that the Property Management Plan cannot be submitted to the State of California until clearance of the Due Diligence Review is received from the DOF.

Mr. Edgar stated that the title transfer process was expected to be challenging due to many technical nuances. The City of Fontana has not fully resolved title transfers as they relate to title companies and their issuance of title insurance. The Department of Finance has stated they are willing to issue approval letters on title transfers. With approval letters, title companies are willing to issue title insurance. Mr. Edgar stated that it was not certain if approval letters were to be issued for the entire Property Management Plan or on a property-by-property basis.

Mr. Edgar stated that in November 2013, properties would be up for sale and was not sure if properties were to be sold as a whole or property-by-property. The City of Fontana is in the process of compiling information in anticipation of being questioned by the State of California as to the intended uses for any particular parcel.

### **C. STAFF/BOARD MEMBERS COMMUNICATION**

OSB Member Lynne Fischer, County of San Bernardino, Board of Supervisors Appointment, announced that this was her last meeting, and her replacement was Kathryn Brann, Housing Analyst, San Bernardino County Economic Development Agency.

OSB Member Laura Mancha thanked City staff for bringing Charley's Tastee Restaurant on Arrow Boulevard back to the City of Fontana.

Vice-Chair Acquanetta Warren announced that she was hosting her first "Walk with the Mayor" event on May 4, 2013, starting in the Downtown Fontana area, walking through the Pacific Electric Trail, and ending at the Fontana Farmers Market.

There were no other comments received from the OSB Members.

### **ADJOURNMENT:**

Chairperson Ssenkoloto announced that the next Fontana Oversight Board Meeting was Friday, June 14, 2013 at 9:00 a.m. The OSB Meeting was adjourned at 9:50 a.m.

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Lynne Fischer  
Secretary

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Evelyne Ssenkoloto  
Chairperson

**OVERSIGHT BOARD ACTION REPORT  
FONTANA REDEVELOPMENT SUCCESSOR AGENCY  
JUNE 14, 2013**

**FROM:** Housing and Business Development

**SUBJECT:** Resolution Approving a Long-Range Property Management Plan (PMP)

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**RECOMMENDED ACTION:**

Adopt Resolution No. FOB 2013-\_\_\_\_ approving a Long-Range Property Management Plan (PMP) for the future disposition and use of properties owned by the former Fontana Redevelopment Agency and authorize the City Manager to execute any documents necessary or appropriate to implement said plan.

**DISCUSSION:**

On June 27, 2012, Governor Jerry Brown signed into law AB 1484. That legislation added to and modified ABx1 26 providing for the statewide dissolution of all redevelopment agencies, the winding-down of all redevelopment agency functions and the distribution of any/all redevelopment agency assets (both financial and property).

In addition, AB 1484 requires the preparation of a "Long-Range Property Management Plan" (PMP) by the Successor Agency. The PMP addresses the long-term disposition and use of all real property owned by the former redevelopment agency (pursuant to § 34191.5(a)).

The Long-Range Property Management Plan includes the following specific items and elements:

1.) An inventory of any/all properties held by the former Redevelopment Agency, including the following information for each individual property (pursuant to §34191.5(c)(1)):

- The date of acquisition and the "value" at that time.
- The specific purpose for which the property was acquired.
- Parcel data for each property, including address, lot size and current zoning.
- An estimate of the current value of the parcel including any appraisal information, if available.
- An estimate of any lease, rental or other revenues generated by the property.
- A history of any environmental "issues" and remediation efforts, if applicable.

- A description of the property's potential for transit-oriented development and the advancement of any planning objectives established by the Successor Agency.
- A brief history of previous development proposals and/or activities.

2.) Address the disposition and future use of all properties held by the former Redevelopment Agency (pursuant to §34191.5(c)(2)).

Since September, 2012, the Successor Agency has been working with Rosenow Spevacek Group (RSG) to prepare a Long-Range Property Management Plan for properties previously owned by the former Fontana Redevelopment Agency which are now held by the Successor Agency.

The Successor Agency currently controls one-hundred sixteen (116) properties that were previously owned by the former Fontana Redevelopment Agency.

The proposed Long-Range Property Management Plan developed by RSG for the Successor Agency includes six (6) categories and suggested disposition/uses for the properties held by the Successor Agency as follows:

- 1.) Properties to be transferred to the City of Fontana.
  - a. Properties currently being utilized as public buildings, parks and other government facilities.
  - b. Properties purchased for future park development (including the 210 Sports Park & Central Park).
  - c. Properties which are designated as "open space" within the Southridge Village Specific Plan.
- 2.) Properties to be "sold" pursuant to a pre-existing agreement/contract and/or enforceable obligation (two properties).
  - a. These include the land surrounding the Hilton Garden Inn and Westech College developments.
- 3.) Properties to be offered for "sale" (seventeen parcels of land).
  - a. These properties will be "listed" and available in the future to the "highest offer".
  - b. Any property "sale" will also include consideration of anticipated land use and future development opportunities.
- 4.) Properties to be transferred to the Fontana Unified School District.
  - a. Shadow Hills Elementary and Oak Park Elementary school sites.
- 5.) Property to be transferred to Chaffey College.
  - a. Future Phase IV "campus" expansion.

6.) Properties covered under a pre-existing agreement with the Federal Department of Fish & Wildlife (two properties).

- a. Part of the Empire Center development "work-out".
- b. Will be transferred to the City of Fontana to ensure long term compliance with the terms and conditions of the agreement.

As identified and detailed in the Long-Range Property Management Plan, the overwhelming majority of property controlled by the Successor Agency will be transferred to the City of Fontana. Only a small amount of the land controlled by the Successor Agency will ultimately be listed and "sold" at a future date.

Following approval by the Oversight Board, the Long-Range Property Management Plan will then be formally submitted to the Department of Finance (DOF) for their review and approval. The Long-Range Property Management Plan may only be submitted to DOF after the Successor Agency receives a Finding of Completion from DOF regarding certain other Successor Agency dissolution responsibilities.

It is important to note, that properties identified in the Long-Range Property Management Plan that are not designated for governmental use or performance of an enforceable obligation cannot be transferred until the Long-Range Property Management Plan has been approved by the Oversight Board and DOF.

On Tuesday, May 28, the Fontana Successor Agency unanimously adopted Resolution SA 2013-003 approving the Long-Range Property Management Plan. A copy of the Long-Range Property Management Plan is available for public review in the City Clerk's Office at the City of Fontana.

Adoption of the Resolution and Approval of the Long-Range Property Management Plan by the Oversight Board will facilitate transfer of the properties 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

**RESOLUTION NO. FOB 2013-02**

**A RESOLUTION OF THE OVERSIGHT BOARD FOR THE SUCCESSOR AGENCY TO THE FONTANA REDEVELOPMENT AGENCY APPROVING AND ADOPTING A LONG-RANGE PROPERTY MANAGEMENT PLAN PURSUANT TO HEALTH AND SAFETY CODE SECTION 34191.5**

**WHEREAS**, pursuant to Health and Safety Code Section 34173(d), the City of Fontana became the successor agency to the former Fontana Redevelopment Agency ("Successor Agency"); and

**WHEREAS**, pursuant to Health and Safety Code Section 34173(g), the Successor Agency is a separate legal entity from the City; and

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

**WHEREAS**, Health and Safety Code Section 34191.5(b) requires the Successor Agency to prepare a "long-range property management plan" ("Property Management Plan") addressing the future disposition and use of all real property of the former Fontana Redevelopment Agency; and

**WHEREAS**, Health and Safety Code Section 34191.5(b) also requires the Successor Agency to submit the Property Management Plan to the Oversight Board and the State of California Department of Finance for review and approval no later than six months following the issuance to the Successor Agency of a finding of completion pursuant to Health and Safety Code Section 34179.7; and

**WHEREAS**, the Successor Agency prepared a Property Management Plan containing all of the information required by Health and Safety Code Section 34191.5; and

**WHEREAS**, the Successor Agency approved the Property Management Plan at its regularly scheduled meeting on May 28, 2013; and

**WHEREAS**, the Successor Agency has submitted the Property Management Plan to the Oversight Board for approval;

**NOW, THEREFORE, THE OVERSIGHT BOARD FOR THE SUCCESSOR AGENCY TO THE FONTANA REDEVELOPMENT AGENCY DOES HEREBY FIND AND RESOLVE AS FOLLOWS:**

**Section 1. Recitals.** The Recitals set forth above are true and correct and are incorporated into this Resolution by this reference.

**Resolution No. FOB 2013-02**

**Section 2. CEQA Compliance.** The approval of the Property Management Plan 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 ("CEQA"). The Oversight Board Secretary is authorized and directed to file a Notice of Exemption in accordance with CEQA 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 Property Management Plan.** The Oversight Board hereby approves the Property Management Plan.

**Section 4. Transmittal of Property Management Plan.** The Oversight Board Chairperson and the Successor Agency are hereby authorized and directed to take any action necessary to carry out the purposes of this Resolution and comply with applicable law regarding the Property Management Plan, including submitting the Property Management Plan to the State of California Department of Finance for review and approval and posting the Property Management Plan on the Successor Agency's website.

**Section 5. Effectiveness.** This Resolution shall take effect immediately upon its adoption.

**PASSED, APPROVED AND ADOPTED** at a regular meeting of the Oversight Board for the Successor Agency to the Fontana Redevelopment Agency on the 14th day of June, 2013.

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

**ATTEST:**

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Oversight Board Secretary  
Oversight Board of the Successor Agency  
to the Fontana Redevelopment Agency

**Resolution No. FOB 2013-02**

I, \_\_\_\_\_, 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 14<sup>th</sup> day of June, 2013, by the following vote to-wit:

**AYES:**

**NOES:**

**ABSENT:**

**ABSTAIN:**

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Oversight Board Secretary