

AGENDA
OVERSIGHT BOARD MEETING
FONTANA REDEVELOPMENT SUCCESSOR AGENCY

FRIDAY, MAY 16, 2014
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

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

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.

**AGENDA
OVERSIGHT BOARD MEETING
FONTANA REDEVELOPMENT SUCCESSOR AGENCY
FRIDAY, MAY 16, 2014
8:30 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-B):

- A. (1) Resolution Approving Modified Revisions to the Long-Range Property Management Plan (LRPMP);
- (2) Determine that this action is exempt from the California Environmental Quality Act and direct staff to file a Notice of Exemption
- B. Staff/Board Member Communication

ADJOURNMENT:

Next Meeting: The next Oversight Board meeting is scheduled for Friday, September 19, 2014, at 9:00 a.m. in the Fontana City Hall, Executive Conference Room located at 8353 Sierra Avenue, Fontana, CA 92335.

**OVERSIGHT BOARD ACTION REPORT
FONTANA REDEVELOPMENT SUCCESSOR AGENCY
MAY 16, 2014**

FROM: Housing and Business Development

SUBJECT: Long-Range Property Management Plan (LRPMP)

RECOMMENDATION:

- 1) Adopt Resolution No. _____ Approving and Adopting a Revised Long-Range Property Management Plan (LRPMP) and Confirming the Estimate of Values Established for Properties Owned by the former Fontana Redevelopment Agency and Authorizing the City Manager to Execute any Documents Necessary or Appropriate to Implement said Plan;
- 2) Determine that this action is exempt from the California Environmental Quality Act and direct staff to file a Notice of Exemption.

DISCUSSION:

As required by AB 1484 the Successor Agency to the Fontana Redevelopment Agency prepared a Long-Range Property Management Plan (LRPMP). The LRPMP addresses the disposition and intended future use of all real property owned by the former Fontana Redevelopment Agency (pursuant to § 34191.5(a)).

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

The LRPMP was presented to and approved by the Successor Agency on May 28th, 2013 and by the Fontana Oversight Board on June 14th, 2013. The LRPMP was subsequently submitted to the Department of Finance (DOF) for their review on June 18th, 2013.

Since submittal, DOF has requested a number of changes and modifications to the LRPMP. Specifically, DOF denied the proposed transfer of selected properties for "Government Purpose", because those property transfers do not meet certain requirements and/or criteria established under the law.

The Fontana Oversight Board addressed each of the changes proposed by DOF and approved modifications to the LRPMP at their meeting on Friday, April 4th, 2014. The revised LRPMP was subsequently submitted to DOF for their review and consideration on Friday, April 4th, 2014.

Oversight Board Action Report
May 16, 2014

Since submission of the revised LRPMP, DOF has requested an additional modification to the LRPMP. The proposed modification surrounds the following property:

- **LRPMP Property #99 – APN #019437124
Hilton Garden Inn Restaurant Parcel**

DOF is requesting that this property be changed from "Enforceable Obligation" (the current designation) to instead be identified as "for sale".

In addition, DOF has also requested that the Fontana Oversight Board approve the estimates of current property/parcel value contained within the revised LRPMP submitted on April 4th. To that end, we have attached a Chart detailing the estimates of value that were provided to DOF.

Please note: DOF is not objecting to or questioning the value estimates provided within the attached chart. They are only requesting that the Fontana Oversight Board approve the values as part of the revisions to the LRPMP.

Adoption of the attached Resolution and approval of these changes to the LRPMP by the Fontana Oversight Board will facilitate approval of the LRPMP by DOF and the transfer and disposition of properties previously owned by the former Fontana Redevelopment Agency in compliance with AB 1484.

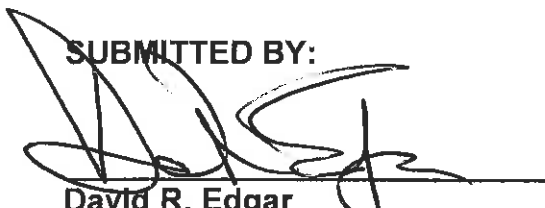
FISCAL IMPACT:

None.

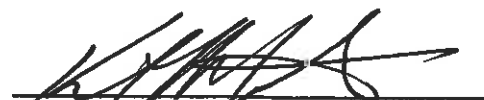
MOTION:

Approve staff recommendation.

SUBMITTED BY:


David R. Edgar
Deputy City Manager

APPROVED BY:


Kenneth R. Hunt
City Manager

Attachments:

1. Fontana Oversight Board Resolution No. 2014 - ____
2. DOF Requested Information (LRPMP) Chart

RESOLUTION NO. _____

A RESOLUTION OF THE OVERSIGHT BOARD FOR THE SUCCESSOR AGENCY TO THE FONTANA REDEVELOPMENT AGENCY APPROVING AND ADOPTING A REVISED LONG-RANGE PROPERTY MANAGEMENT PLAN, PURSUANT TO HEALTH AND SAFETY CODE SECTION 34191.5, IN RESPONSE TO STATE OF CALIFORNIA DEPARTMENT OF FINANCE REQUESTS

WHEREAS, pursuant to Health and Safety Code section 34173(g), the Successor Agency to the Fontana Redevelopment Agency (“Successor Agency”) is a public body, corporate and politic, separate and distinct from the City of Fontana; 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” (“LRPMP”) 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 LRPMP to the Oversight Board and the State of California Department of Finance (“DOF”) 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 an LRPMP containing all of the information required by Health and Safety Code Section 34191.5 that was approved by the Oversight Board and submitted to DOF for review and approval, all in accordance with applicable law; and

WHEREAS, DOF objected to the classification of certain real property in the LRPMP; and

WHEREAS, the Successor Agency prepared and approved revisions to its LRPMP re-classifying these properties as requested by DOF and has submitted such LRPMP revisions to the Oversight Board for review and 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.

Section 2. CEQA Compliance. The approval of the LRPMP 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 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 Revisions to the LRPMP. The Oversight Board hereby approves the following described revisions to the LRPMP:

Property No. 54 (APN 0193131140000), Option House, is re-classified from “Governmental Use” to “housing asset,” pursuant to Health and Safety Code Section 34176(e), and will be transferred to the Fontana Housing Authority;

Property No. 48 (APN 0192151220000), Parking Lot-Downtown Restaurant, is re-classified from “Governmental Use” to “Sale of Property”;

Property No. 103 (APN 0226075470000), Remnant Parcel-Duncan Canyon, is re-classified from “Governmental Use” to “Sale of Property”;

Property No. 88 (APN 0193151190000), Chaffey College, is re-classified from “Future Development” to “Sale of Property”; and

Properties Nos. 20, 21, 22, 29, 30 and 100 (APNs 0228301060000, 0228301030000, 0228301020000, 0228301080000, 0228301070000 and 0228301520000), Fite Development, are re-classified from “Future Development” to “Sale of Property.”

Properties Nos. 66-67 60, 63 - 65, 68-69, 72–75, 78-80 and 83 (APN’s 023720106, 019339129, 019340124-25, 023621143,023741106, 023621146, 023738159, 023621151, 023621155, 023622532, 023739183, 023622525, 023622521, Southern California Edison Easement, are re-classified from “Government Use” to “Sale Property”.

Property No. 99 (APN 019437124), Restaurant Parcel – Hilton Garden Inn Hotel, is re-classified from “Enforceable Obligation” to “Sale of Property”.

Section 4. Oversight Board Acknowledgment of Distribution of Net Sale Proceeds. Regarding all properties classified as “Fulfill Enforceable Obligation” or “Sale of Property” in the LRPMP (as revised by this Resolution), the Oversight Board acknowledges that the Successor Agency asserts no claim to the net proceeds from the sales of these properties, after deduction of the costs of sale, and that the Successor Agency intends to transmit such net sale proceeds to the County of San Bernardino Auditor-Controller for distribution to the affected taxing entities in accordance with applicable law.

Section 5. Establishment of Values. The Oversight Board acknowledges and approves the Purchase Values, Estimates of Current Value, Estimates of Parcel Value and Proposed Sale Values included on the DOF Requested Information – LRPMP Chart attached to this Resolution as Exhibit “A”. Those estimates were established through a methodology developed by Rosenow Spevek Group (RSG), the Successor Agency and the local Real Estate Community. The Oversight further acknowledges that the Proposed Sale Values are only estimates and that actual values will be determined by local real estate market factors at the time of sale.

Section 6. Transmittal of LRPMP. The Oversight Board acknowledges and approves the changes proposed by DOF as part of their review of the Successor Agency LRPMP. To that end, 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 revised LRPMP, including submitting the revised LRPMP to DOF for review and approval and posting the revised LRPMP on the Successor Agency’s website.

Section 7. Effectiveness. Pursuant to Health and Safety Code section 34179(h), all actions taken by the Oversight Board may be reviewed by DOF and, therefore, this Resolution shall become effective five (5) business days after the date of its adoption, except to the extent that a request for review of the actions taken in this Resolution is made by DOF.

PASSED, APPROVED AND ADOPTED at a regular meeting of the Oversight Board for the Successor Agency to the Fontana Redevelopment Agency on the 16th day of May, 2014, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

Chair

ATTEST:

Secretary

Exhibit "A"
(LRPMP Chart)

DOF Requested Information - LRPMP

X = MISSING INFORMATION, NEED FOR APPROVAL

LGU No.		APN	Land Use	Permissible Use	Reason for Denial	Compensation w/ Agreement w/ taxing entities pursuant to HSC 34180 (f)	Intended use of sale proceeds (12)	Purchase Value (g)	Estimated Current Value	Estimate of Current Parcel Value	Proposed Sale Value/Date
21	60	0237207060000	Vacant Land - SCE Utility Easement	D	Not designated as open spaces; not governmental use pursuant to HSC 34181 (a). Property use potentially mis-categorized - intended to be future park? Need City plan with intention in order to be governmental use. Or is property meant to be disposed of to City for future development?		X		\$1,090,133	\$1,090,133	December, 2015
22	59	0163681010000	Remnant Parcel - Sierra Avenue	Governmental Use				\$5,236	\$10,749	\$10,749	
23	92	0251201070000	Remnant Parcel - 110 Freeway	Governmental Use				\$195	\$512	\$512	
24	103	0226075470000	Remnant Parcel - Duncan Canyon	Governmental Use	Not governmental use pursuant to HSC 34181 (a)		X		\$76,779	\$76,779	December, 2014
25	101	0226072060000	Roadway - Walnut Avenue	Governmental Use					\$20,858	\$20,858	
26	76	0193554300000	Southridge Hillside Fire Road & Roadway	Governmental Use	Not governmental use pursuant to HSC 34181 (a)				\$5,130,623	\$5,130,623	
27	86	0237331560000	Southridge Hillside Fire Road & Roadway	Governmental Use	Not governmental use pursuant to HSC 34181 (a)				\$5,119	\$5,119	
28	82	0183162270000	Delhi Sand's Fly Habitat	Governmental Use	Not governmental use pursuant to HSC 34181 (e). Documentation required to support specific parcels are designated as wildlife habitat			\$398,755	\$223,938	\$223,938	

Missing Information

DOF Requested Information - LRPMP

X = MISSING INFORMATION, NEED FOR APPROVAL

LGU No.		APN	Land Use	Permissible Use	Reason for Denial	Compensation Agreement w/ taxing entities pursuant to HSC 34180 (f)	Intended use of sale proceeds (12)	Purchase Value (8)	Estimated Current Value	Estimate of Current Parcel Value	Proposed Sale Value/Date
29	33	0182151190000	Charliefy College	Future Development	D		X				December, 2014
30	20	0226301060000	Flite Development	Future Development	D	X	X				December, 2015
31	47	0182151070000	Downtown Restaurant	Sale of Property	D		X				December, 2014
32	32	0240132050000	Walnut Village	Sale of Property	D		X	\$387,000			December, 2014
33	55	0183234080000	Near Westloch College	Sale of Property	D		X				December, 2014
34	31	0240011320000	Auto Center Parcel	Sale of Property	D		X				December, 2014

Missing Information

DOF Requested Information - LRPMP

X = MISSING INFORMATION, NEED FOR APPROVAL

LGU No.		APN	Land Use	Permissible Use	Reason for Denial	Compensation Agreement w/ taxing entities pursuant to HEC 34188 (f)	Intended use of sale proceeds (12)	Purchase Value (\$)	Estimated Current Value	Estimate of Current Parcel Value	Proposed Sale Value/Date
35	6	0226164190000	Near 210 Sport's Park	D	Specific documentation required to support estimated current value/proposed sale value		X				December, 2014
36	104	0193234120000	Westech College	D	Specific documentation required to support estimated current value/proposed sale value		X				June, 2014
37	99	0184371240000	Hilton Garden Inn	D	Specific documentation required to support estimated current value. Second Amendment to DDA executed after June 27, 2011		X	\$295,812		\$200,000	June, 2014