

RESOLUTION NO. FOB 2017-003

A RESOLUTION OF THE OVERSIGHT BOARD OF THE SUCCESSOR AGENCY TO THE DISSOLVED FONTANA REDEVELOPMENT AGENCY, APPROVING AN AMENDMENT TO THE RECOGNIZED OBLIGATION PAYMENT SCHEDULE FOR JULY 1, 2017 THROUGH JUNE 30, 2018 PURSUANT TO HEALTH AND SAFETY CODE SECTION 34177(o)(1)(E)

WHEREAS, pursuant to Health and Safety Code Section 34173(d), the City of Fontana ("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(l), as adopted by AB1x 26, adopted in June 2011, as modified by the Supreme Court opinion in *California Redevelopment Association, et al. v. Ana Matosantos, et al.*, Case No. S194861, and other subsequently adopted legislation, and Health and Safety Code Section 24177(o), as adopted by SB 107, signed by the Governor on September 22, 2015, required the Successor Agency to prepare a "recognized obligation payment schedule" ("ROPS") listing outstanding obligations of the Agency to be performed by the Successor Agency during the time period from July 1, 2017, through June 30, 2018 ("Fiscal Year 2017-18"); and

WHEREAS, the Successor Agency prepared the ROPS for Fiscal Year 2017-18 and the Oversight Board and Department of Finance approved the ROPS for Fiscal Year 2017-18; and

WHEREAS, Health and Safety Code Section 34177(o)(1)(E) permits the Successor Agency to amend each annual ROPS one time, for the purpose of amending the amount requested for payment of approved enforceable obligations on the ROPS; provided that the Oversight Board finds that the amendment is necessary for the payment of approved enforceable obligations during the second half of the fiscal year; and

WHEREAS, the approved ROPS for Fiscal Year 2017-18 requests money from the Successor Agency's Redevelopment Property Tax Trust Fund ("RPTTF") to pay debt service on the Successor Agency's bond obligations in an amount equal to half of the bond year's debt service; however, the indenture under which such bonds were issued requires that the Successor Agency request the full amount of debt service due on such bonds for the entire bond year from the RPTTF disbursement on January 2 of each year, to the extent such moneys are available from the Jurupa Hills Redevelopment Project; and

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WHEREAS, the Successor Agency has prepared an amendment to the ROPS for Fiscal Year 2017-18 (the “ROPS Amendment”) to request the full bond year’s debt service on the Fontana Redevelopment Agency Jurupa Hills Redevelopment Project Tax Allocation Refunding Bonds, 1999 Series A and the Fontana Redevelopment Agency Jurupa Hills Redevelopment Project Tax Allocation Refunding Bonds, 1997 Series A (collectively, the “Jurupa Hills Bonds”), from the RPTTF to be distributed to the Successor Agency on January 2, 2018; and

WHEREAS, the proposed ROPS Amendment is necessary for the payment of debt service on the Jurupa Hills Bonds in accordance with the indentures under which the Jurupa Hills Bonds were issued during the second half of the ROPS period; and

WHEREAS, the ROPS Amendment is necessary to enable the Successor Agency to refund certain of its indebtedness obligations for savings, as permitted by Health and Safety Code Section 34177.5(a)(1); and

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 Amendment 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 Amendment. The Oversight Board hereby approves the ROPS Amendment in substantially the form attached to this Resolution as Exhibit A, pursuant to Health and Safety Code Section 34177(o)(1)(E). The Oversight Board hereby finds and determines that the ROPS Amendment is necessary for the payment of debt service on the Jurupa Hills Bonds in accordance with the indentures under which the Jurupa Hills Bonds were issued during the second half of the ROPS period. In addition, the ROPS Amendment is necessary to enable the Successor Agency to refund certain of its indebtedness obligations for savings, as permitted by Health and Safety Code Section 34177.5(a)(1).

Section 4. Implementation. The Oversight Board hereby directs the Successor Agency to submit copies of the ROPS Amendment approved by the Oversight Board to the county auditor-controller and the Department of Finance, and posting on the Successor Agency’s Internet Web site no later than October 1, 2017.

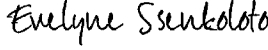
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Section 5. Severability. If any provision of this Resolution or the application of any such provision to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of this Resolution that can be given 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 18th day of August, 2017.

DocuSigned by:

266074909EE542D...
Evelyne Ssenkoloto, Chairperson
Oversight Board of the Successor Agency to the
Fontana Redevelopment Agency

ATTEST:

DocuSigned by:

582E6EEE71184BC...
John Roberts, Secretary
Oversight Board of the Successor Agency to the
Fontana Redevelopment Agency

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 18th day of August, 2017, by the following vote to-wit:

AYES: Chair Ssenkoloto, Vice-Chair Warren, OSB Members Bishop, Mancha and Roberts

NOES:

ABSENT: OSB Members Bassett and Brann

ABSTAIN:

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DocuSigned by:

3B2E8EE71164BC.....
John Roberts, Oversight Board Secretary

EXHIBIT A

AMENDMENT TO
RECOGNIZED OBLIGATION PAYMENT SCHEDULE
FOR JULY 1, 2017, THROUGH JUNE 30, 2018

[Attached behind this page]

Amended Recognized Obligation Payment Schedule (ROPS 17-18B) - Summary

Filed for the January 1, 2018 through June 30, 2018 Period

Successor Agency: Fontana

County: San Bernardino

Current Period Requested Funding for Enforceable Obligations (ROPS Detail)		ROPS 17-18B Authorized Amounts	ROPS 17-18B Requested Adjustments	ROPS 17-18B Amended Total
A	Enforceable Obligations Funded as Follows (B+C+D):	\$ 185,091	\$ -	\$ 185,091
B	Bond Proceeds	-	-	-
C	Reserve Balance	-	-	-
D	Other Funds	185,091	-	185,091
E	Redevelopment Property Tax Trust Fund (RPTTF) (F+G):	\$ 25,465,663	\$ 2,998,000	\$ 28,463,663
F	RPTTF	24,815,473	2,998,000	27,813,473
G	Administrative RPTTF	650,190	-	650,190
H	Current Period Enforceable Obligations (A+E):	\$ 25,650,754	\$ 2,998,000	\$ 28,648,754

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.

Name Title

/s/ _____
Signature Date

Certificate Of Completion

Envelope Id: C6573B98071743BE80A773C3B87E9F0A

Subject: Please Sign Resolution No. FOB 2017-003

Source Envelope:

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Supplemental Document Pages: 0

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Evelyne Ssenkoloto

essenkol@fontana.org

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Signature

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John Roberts

jroberts@fontana.org

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John Roberts
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Signed using mobile

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In Person Signer Events

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Evelyne Ssenkoloto

essenkol@fontana.org

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Kathy Kasinger

kkasinger@fontana.org

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Notary Events

Signature

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Envelope Summary Events

Status

Timestamps

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8/24/2017 11:14:44 AM

Certified Delivered

Security Checked

8/24/2017 11:14:44 AM

Signing Complete

Security Checked

8/24/2017 11:14:44 AM

Completed

Security Checked

8/24/2017 11:14:44 AM

Payment Events

Status

Timestamps

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Required hardware and software

Operating Systems:	Windows2000? or WindowsXP?
Browsers (for SENDERS):	Internet Explorer 6.0? or above
Browsers (for SIGNERS):	Internet Explorer 6.0?, Mozilla FireFox 1.0, NetScape 7.2 (or above)
Email:	Access to a valid email account
Screen Resolution:	800 x 600 minimum
Enabled Security Settings:	•Allow per session cookies •Users accessing the internet behind a Proxy Server must enable HTTP 1.1 settings via proxy connection

** These minimum requirements are subject to change. If these requirements change, we will provide you with an email message at the email address we have on file for you at that time providing you with the revised hardware and software requirements, at which time you will have the right to withdraw your consent.

Acknowledging your access and consent to receive materials electronically

To confirm to us that you can access this information electronically, which will be similar to other electronic notices and disclosures that we will provide to you, please verify that you were able to read this electronic disclosure and that you also were able to print on paper or electronically save this page for your future reference and access or that you were able to e-mail this disclosure and consent to an address where you will be able to print on paper or save it for your future reference and access. Further, if you consent to receiving notices and disclosures exclusively in electronic format on the terms and conditions described above, please let us know by clicking the 'I agree' button below.

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