

**OVERSIGHT BOARD – SUCCESSOR AGENCY TO THE
FORMER REDEVELOPMENT AGENCY OF THE
COUNTY OF VENTURA**

**OFFICIAL SUMMARY
MINUTES**

June 12, 2014

2:00 PM

County Government Center
Hall of Administration
County Executive Office
Atrium Conference Room, Room - 4th Floor
800 S. Victoria Avenue
Ventura, California 93009

OPENING

1. Call to Order.
2. Roll Call.

Quorum established.

Members Present: Bill Bartels, Paula Driscoll, Tom Kasper, Heather Kurpiewski,
Matt Carroll

Members Absent: Christy Madden, David Keebler

Staff Present: Rosanna Bati, David Brown, Donna McKendry,
Roberto Orellana, Gia Allen, Jaclyn Smith, Keith Filegar

Staff Absent: None

Public Present: Tim Cohen of Temescal LLC

3. Pledge of Allegiance to the Flag of the United States of America.
4. Public Comments – Citizen presentations regarding Board related matters NOT appearing on this agenda. (See guidelines, above.)

5. Receive and File Without Objection or Amendment the Minutes for May 8, 2014 Regular Meeting.

Motion to receive and file without objection or amendment the Minutes for May 8, 2014 Regular Meeting.

Without objection or modification, the Minutes were received and filed.

6. Review the Successor Agency Monthly Administrative Financial Status Report and Take Action as Needed Thereon.

David Brown, County Executive Office Fiscal Department, reported the current Successor Agency financial status to the Oversight Board (OB) members. Mr. Brown provided an amended copy of the Financial Status Report (FSR). The amendment was due to notification from the Auditor-Controller's office stating they do not anticipate any expenditures this fiscal year. Therefore, the projected expenses of \$20,000 that is in ROPS 13-14B was removed from the FSR. This reduces the unfunded liability with a projected ending ~~negative~~ balance of \$6,000 for ROPS 14-15A. It is estimated that by December prior period liabilities should be paid off. In addition, the \$41,000 for deferred maintenance by GSA was removed from the expenditure portion and moved into the next ROPs under prior period liability.

positive correction requested by SA Fiscal staff

7. Review the Pending California State Controller's Audit Scheduled to Begin on June 24, 2014 and Direct Staff to Make Any Needed Preparations Therefor.

Successor Agency (SA) staff Donna McKendry reported that the State Controller's Office (SCO) would arrive and begin their audit on June 24, 2014, that SCO staff had asked for 28 items to be sent to them by June 16th, and that the CEO Fiscal Department was working with her to get the SCO the requested information in time to meet its deadline. Member Driscoll asked if the Department of Finance had some of these items and could provide them to the SCO. Ms. McKendry responded that SCO is conducting an independent audit and looking predominately at property transfers early in the dissolution process. The only thing that transferred during the time in question was the Piru skate park. At the time of transfer, it was a conceptual plan/CDBG contract. There was no real property involved and no RDA funds were expended. McKendry reported that the SCO auditors are expected to be onsite for about 2 weeks with 2 employees conducting the audit.

8. **Review General Services Agency's Progress on Deferred Maintenance Work on the Piru Town Square Facility and Take Action as Needed Thereon.**

There was no report on this item. Review on the progress of the deferred maintenance was addressed in connection with Agenda Item #10, below.

9. **Receive and File Department of Finance (DOF) Determination Letter, Dated May 14, 2014, Regarding Resolution No. 14-08 and Resolution No. 14-09 Approving the Transfer of the Piru Town Square Depot and the Piru Storm Drain to the County of Ventura for Governmental Use.**

Motion to receive and file DOF Determination Letter

Moved by Matt Carroll seconded by Tom Kasper.

Vote: 5-0

Yes: Bill Bartels, Paula Driscoll, Tom Kasper, Heather Kurpiewski, Matt Carroll

10. **Review the Transfer of the Piru Town Square Depot and Piru Storm Drain to the County of Ventura and Take Action as Needed Thereon.**

Donna McKendry stated that, at its May 8, 2014 meeting, the Board had adopted Resolutions No. 14-08 and No. 14-09, approving the transfer of the Piru Town Square Depot and the Storm Drain to the County of Ventura and that the DOF had approved both resolutions. She then reported that the County's transportation department was prepared to accept the Piru Storm Drain when the County's Board of Supervisors accepts the transfer, but that the County's GSA Park's Department had reported a stall in the deferred maintenance work at the Piru Town Square Depot due to the presences of birds onsite. GSA staff anticipate that the birds will vacate the nests in early September and that the repairs and painting can take place either in late September or early October. Ms. McKendry stated that, if the transfer of the property is made before the deferred maintenance is done, GSA may not be able charge the SA for the work because the SA may not be able to pay for maintenance of a facility it no longer owns. The Board discussed options and decided to transfer the property with the condition that the work be done after the birds vacate in September, but no later than December 2014, and to make the \$41,000 budgeted for this work an enforceable obligation for the SA.

Motion to move forward with transfer of the Storm Drain and the Piru Town Square Depot with condition that the deferred maintenance of the Depot take place after the birds vacate the property in September, but before December 2014, with a not to exceed enforceable obligation of \$41,000.

Moved by Bill Bartels, seconded by Paula Driscoll.

Vote: 5-0

Yes: Bill Bartels, Paula Driscoll, Tom Kasper, Heather Kurpiewski, Matt Carroll

11. Adopt Resolution No. 14-10 Approving the Sale of the Piru Bank Building and Directing Successor Agency Staff to Facilitate the Sale, to Take Any Administrative Actions Needed Therefor, and to Notify the Department of Finance (DOF) of Approval of Said Actions.

Donna McKendry related that the Oversight Board had previously directed staff to provide more information regarding the proposed sale of the bank building and to agendaize it for this meeting. In particular, the Board had requested a schedule of the reduction of unfunded liability for the SA over time. Staff provided an amended schedule of tax distribution to each taxing entity, a chart comparing net proceeds from each sales option, and noted that a "For Sale" sign had been placed in the window of the bank building on May 15, 2014.

Ms. McKendry then reported that, on May 19, Keith Filegar, from Real Estate Services Division (RES), had received an offer from Nok Paljusaj and Mariah Shirley of \$66,000 for the bank building, that, on May 27, 2014, Tim Cohen of Rancho Temescal, LLC, had made an offer for \$67,000, that on June 2, Mr. Paljusaj and Ms. Shirley made another offer for \$68,000, and that on June 11, 2014, Rancho Temescal, LLC made another offer of \$73,000. After Mr. Cohen's last counter, Mr. Filegar called Mr. Paljusaj, informing him of the that offer and Mr. Paljusaj stated he would not submit a counter offer but to notify him if the sale did not go through.

Staff reported that Mr. Cohen's \$73,000 offer did not require any escrow, avoiding title and escrow fees, and proposed a closing no later than June 30, 2014. Ms. McKendry pointed out there were five options to consider when there were two active bidders, but since there was only one active bid at this time, staff recommended adoption of Resolution No. 14-10, approving the sale to Rancho Temescal on the terms outlined, above. In addition, staff recommended that the Board discuss options for the use of net proceeds generated from the sale of the building.

Discussion:

The Board considered the facts, including that there were no costs associated with the recommended sale other than staff time and payment for Mr. Filegar's services which were already accounted for within the SA's budget. The Board therefore decided that that the taxing entities should receive 100% of the sale proceeds. Chair Bartels stated he would prefer a portion go toward paying off the current enforceable obligations of the SA, but Member Kurpiewski noted that the amended Financial Status Report (FSR) projected the SA's unfunded liability will be paid off as early as December 2014 in any event, and she therefore thought that the proceeds from the sale should be distributed to the taxing

entities. Member Driscoll agreed that the proceeds should be distributed to the taxing entities. In light of the FSR's forecast, Chair Bartels agreed that the proceeds should be distributed to the taxing entities.

There were no comments from the public other than by Tim Cohen of Rancho Temescal, LLC, who clarified that the transfer would be to the LLC, and not to him individually.

Motion to have the net proceeds from the sale of the Bank Building be distributed to the taxing entities.

Moved by Paula Driscoll, seconded by Heather Kurpiewski,

Vote: 5-0

Yes: Bill Bartels, Paula Driscoll, Tom Kasper, Heather Kurpiewski, Matt Carroll

Motion to adopt Resolution No. 14-10, approving the sale of the Piru Bank Building to Rancho Temescal, LLC, for \$73,000 cash, setting a reserve base of \$73,000, acknowledging acceptance of the \$73,000 offer from Rancho Temescal, LLC, and establishing the net proceeds to be distributed to the taxing entities and direct staff to facilitate the sale and take action as needed thereon and notify the Department of Finance of said action.

Moved by Matt Carroll, seconded by Tom Kasper,

Vote: 5-0

Yes: Bill Bartels, Paula Driscoll, Tom Kasper, Heather Kurpiewski, Matt Carroll

12. Adopt Resolution No. 14-11 Authorizing the Successor Agency to Reenter into Four Agreements with the County of Ventura and Delegating Authority to the Successor Agency Secretary to Sign Agreements.

Donna McKendry stated that, to assist in the RDA dissolution process, the Board had previously entered into separate agreements with County of Ventura's Auditor-Controller's office, County Counsel office, County Executive office, and General Services Agency (GSA); she reported that, on June 30, 2014, all four agreements will terminate unless extended.

Staff recommended adoption of Resolution No. 14-11, authorizing the SA to reenter into the four agreements, effective July 1, 2014 through June 30, 2015, and to delegate authority to the SA secretary to sign the new agreements.

Discussion:

In response to questions from Board members, SA Staff confirmed that, although the new GSA agreement contains language that terminates the agreement for general maintenance services upon transfer of the Town Square property, it also provides that, after the transfer, the \$41,000 for deferred maintenance will

continue as an enforceable obligation, as discussed in connection with Agenda Item #10, above.

Ms. McKendry advised members that the four agreements are virtually identical to last years' agreements except that the Auditor-Controller's contract amount is being reduced from \$20,000 to \$10,000, that a stipulation was added to the GSA agreement to terminate the contract when all property was transferred from the SA, and that each agreement's dates were changed to match the new fiscal year.

Motion to adopt Resolution No. 14-11, authorizing the Successor Agency to reenter into four agreements with the County of Ventura and to delegate the authority to the Successor Agency Secretary to sign the agreements.

Moved by Bill Bartels, seconded by Tom Kasper,

Vote: 4-0-1

Yes: Bill Bartels, Paula Driscoll, Tom Kasper, Matt Carroll

Abstain: Heather Kurpiewski

13. Announcements and Future Agenda Items

A. Announcements

- Pending Legislation (deferred to subsequent meeting)

B. Future Agenda Items

- ROPS 14-15B - submission due on or before October 3, 2014.

Next Regular Oversight Board meeting is scheduled for July 10, 2014 at 2:00 p.m., dependent on what County's Board of Supervisors decides regarding the proposed transfers.

Adjournment: The Board adjourned at 2:44 p.m.