

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

**OFFICIAL SUMMARY
MINUTES
May 9, 2013
2:00 PM**

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

OPENING

1. Call to Order.
2. Roll Call.

Quorum established.

Members Present: Bill Bartels, Matt Carroll, Heather Kurpiewski, and Christy Madden
Members Absent: Paula Driscoll, David Keebler, and Tom Kasper
Staff Present: Donna McKendry, Mary Ann Guariento, Rosanna Bati, Roberto Orellana, Jaclyn Smith and Beverly Monnier
Staff Absent: Mike Powers

3. Pledge of Allegiance to the Flag of the United States of America.
4. Public Comments

Jeff Burgh, Interim Auditor/Controller, attended the meeting as a member of the public to gain insight on Agenda Item 9 for his role on other Oversight Board Committees.

5. **Introductions of Board Members and Staff**
6. **Receive and File Ventura County Office of Education Letter, Dated March 21, 2013, Regarding the Appointment of the Second Member from the Chancellor of California Community Colleges, Filling the Seventh Seat on the Oversight Board, and Conduct an Oath of Office Administered to the New Oversight Board Member, Heather Kurpiewski. Direct Staff to Discuss Form 700 Responsibilities and Report the Appointment to the Department of Finance (DOF) and the Governor's Office.**

Oversight Board Member Heather Kurpiewski was sworn in by Senior Deputy Clerk of the Board, Rosa Gonzalez.

“Chancellor of California Community Colleges” was amended to “County Office of Education.”

Donna McKendry reported all Oversight Board members are now in the County's electronic system and that next Year's FPPC Form 700 reporting is therefore expected go smoothly.

Motion to Receive and file Ventura County Office of Education letter dated March 21, 2013 regarding the appointment of the second member from the County Office of Education of California Community Colleges, filling the seventh seat on the Oversight Board.

Moved by Christy Madden, seconded by Matt Carroll

Vote: 4-0

Yes: Bill Bartels, Matt Carroll, Heather Kurpiewski, and Christy Madden

7. **Receive and File Without Objection or Amendment the Minutes for February 14, 2013 Regular Meeting.**

Motion to receive and file without objection or amendment the Minutes for February 14, 2013.

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

8. **Review the Successor Agency Monthly Administrative Financial Status Report (FSR) and Take Action as Needed Thereon.**

Motion to Receive and file FSR and in support of Successor Agency's payment plan, as detailed by MaryAnn Guariento, CEO Fiscal Dept.

Moved by Christy Madden, seconded by Heather Kurpiewski

Vote: 4-0

Yes: Bill Bartels, Matt Carroll, Heather Kurpiewski, and Christy Madden

9. Review the Process of the Submittal of the Long Range Property Management Plan (LRPMP) and Take Action as Needed Thereon.

Donna McKendry, Successor Agency Secretary, reported that Staff received guidance and a template example from the DOF to begin working on the LRPMP. As of May 9th, the plan was 80% complete. As presented in Agenda Item 14, Successor Agency received the required Finding of Completion from the DOF on April 26, 2013. That date triggered a 6-month deadline for the Successor Agency to submit the LRPMP to the Oversight Board for approval and then to the DOF. Staff received necessary direction from the Board to complete the draft LRPMP, as detailed below.

10. Review the Long Range Property Management Plan Options as They Apply to the Disposition of the Bank Building and Provide Direction to Staff.

Ms. McKendry outlined the direction that Successor Agency staff was seeking from the Oversight Board regarding the disposition of the Piru Bank Building and the required LRPMP. Three options were discussed:

1. A sale of the building to a private entity or government entity (possibly County of Ventura). Fiscal impact: 100% of net proceeds to taxing entities.
2. Retention of the building for future leasing purposes. Fiscal impact: 100% of net income to taxing entities.
3. Retention of the building for future development which could include a transfer of the building, at no cost to the County for governmental use purposes. Fiscal impact: County would be responsible for all maintenance and operating costs and would retain any and all revenue. Taxing entities would receive their proportionate share of base property tax that would be generated if property were held by private party.

Successor Agency staff recommended that Oversight Board provide initial direction as to the disposition of the Bank Building in order for it to complete the LRPMP review no later than 6 months after the date the DOF issued its Finding of Completion (April 26, 2013). Staff stated it will present the draft LRPMP for OB's review and approval at earliest opportunity.

DISCUSSION: The property's assessed value is estimated at upwards of \$110,000. There is, however, only one current offer, at only \$35,000. Another interested party has contacted Staff but no offer had been made at the time of the May meeting. Ms. McKendry agreed to contact the interested party after the Board provided direction on this item.

Ms. McKendry confirmed that no action can be taken until DOF approves the LRPMP – perhaps around July or August.

Motion: To market the property through a commercial real estate broker and to move forward with selling the property for the highest and best offer, in order to maximize cash flow and minimize costs, once the LRPMP is approved by the DOF.

Moved by Bill Bartels, seconded by Christy Madden

Vote: 4-0

Yes: Bill Bartels, Matt Carroll, Heather Kurpiewski, and Christy Madden

11. Review the Transfer of the Town Square Project and Storm Drain Project to the County of Ventura and Take Action as Needed Thereon.

No report or action taken on this item.

12. Review the DOF Response to the SA Inquiry Regarding Accelerated Bond Payments and Take Action as Needed Thereon.

No report or action taken on this item.

13. Receive and File DOF Determination Letter, Dated March 19, 2013, and Proof of Remittance of Funds Regarding Resolution No. 12-16, Approving and Transmitting the Second Required Due Diligence Review of All Other Funds and Accounts, and Take Action as Needed Thereon.

Motion: To Receive and File DOF Determination Letter, Dated March 19, 2013, and Proof of Remittance of Funds Regarding Resolution No. 12-16, Approving and Transmitting the Second Required Due Diligence Review of All Other Funds and Accounts.

Moved by Matt Carroll, seconded by Christy Madden

Vote: 4-0

Yes: Bill Bartels, Matt Carroll, Heather Kurpiewski, and Christy Madden

14. Adoption of Resolution No. 13-03 Ratifying the Submission of the Finding of Completion Determination Request to the Department of Finance and Receiving and Filing the Department of Finance’s Response Granting the Finding of Completion.

Consider Adoption of a Resolution No. 13-03.

Staff Recommends: Adoption of Resolution No. 13-03.

Ms. McKendry reported that the Successor Agency submitted the required proof to

the DOF and that two required Due Diligent Reviews were approved by the DOF. Staff sent the DOF proof that the Successor Agency and Auditor Controller's Office had complied with the "July True Up Process" and proof that all monies owed various taxing entities had been timely paid. Ms. McKendry reported that staff submitted a Finding of Completion request to the DOF on April 19, 2013. On April 23, the DOF granted the County's request for a Finding of Completion.

Motion: To Adopt Resolution No. 13-03 Ratifying the Submission of the Finding of Completion Determination Request to the Department of Finance and Receiving and Filing the Department of Finance's Response Granting the Finding of Completion.

Moved by Christy Madden, seconded by Matt Carroll

Vote: 4-0

Yes: Bill Bartels, Matt Carroll, Heather Kurpiewski, and Christy Madden

15. Adoption of Resolution No. 13-04 Authorizing the Successor Agency to Reenter into Four Agreements with the County of Ventura, and Delegation of Authority to Successor Agency's Secretary to Sign Agreements.

Consider Adoption of a Resolution No. 13-04 Authorizing the Successor Agency to Reenter into Four Agreements with the County of Ventura, and Delegation to Successor Agency Secretary to Sign Agreements.

Staff Recommends: Adoption of Resolution No. 13-04.

Ms. McKendry reviewed each of the four agreements proposed for renewal for fiscal year 2013-14, that is, from July 1, 2013, through June 30, 2014. The amounts paid under all four agreements, when combined, cannot exceed \$250,000, the maximum amount permitted by law for each fiscal year. The not-to-exceed amounts set for fiscal year 2013-14 for each contract are as follows:

1. Auditor/Controller's Office - not to exceed \$20,000.
2. County Counsel's Office - not to exceed \$100,000.
3. County Executive Office - not less than \$55,00 and not to exceed \$120,000.
4. General Services Agency not to exceed \$75,000.

Motion: To Adopt Resolution No. 13-04 Authorizing the Successor Agency to Renew Four Agreements with the County of Ventura for Fiscal Year 2013-14, and Delegating Authority to Successor Agency's Secretary to Sign the Agreements.

Moved by Matt Carroll, seconded by Heather Kurpiewski

Vote: 4-0

Yes: Bill Bartels, Matt Carroll, Heather Kurpiewski, and Christy Madden

16. **Receive and File DOF Determination Letter, Dated April 6, 2013, Regarding Resolution No. 13-02 Accepting the Recognized Obligation Payment Schedules (ROPS 13-14A) for July 1, 2013, through December 31, 2013.**

Motion: To Receive and File DOF Determination Letter, Dated April 6, 2013, Regarding Resolution No. 13-02, Accepting the Recognized Obligation Payment Schedules (ROPS 13-14A) for July 1, 2013, through December 31, 2013.

Moved by Christy Madden, seconded by Bill Bartels

Vote: 4-0

Yes: Bill Bartels, Matt Carroll, Heather Kurpiewski, and Christy Madden

17. **Adoption of Resolution No. 13-05 Establishing Further Successor Agency's Procedures for Meet and Confer Requests and Directing Staff to Report Back Whenever the Adopted Procedures are Implemented.**

Consider Adoption of a Resolution No. 13-05 Approving Revised Successor Agency's Procedures for Meet and Confer Requests and Directing Staff to Report Back Whenever the Revised Procedures are Implemented.

Staff Recommends: Adoption of Resolution No. 13-05

Ms. McKendry stated that on September 14, 2012, the Oversight Board adopted Resolution 12-11, requiring the Successor Agency to file Meet and Confer request whenever necessary to preserve the Oversight Board's right to dispute DOF determinations adverse to its prior actions. Resolution 13-05 would allow Successor Agency staff, with County Counsel and Oversight Board chair approval, the option of not filing Meet and Confer requests when the facts indicate no negative impact on the Oversight Board or Successor Agency if a Meet and Confer request is not filed.

Motion: To Adopt Resolution No. 13-05 Establishing Further Successor Agency's Procedures for Meet and Confer Requests and Directing Staff to Report Back Whenever the Adopted Procedures are Implemented.

Moved by Matt Carroll, seconded by Christy Madden

Vote: 4-0

Yes: Bill Bartels, Matt Carroll, Heather Kurpiewski, and Christy Madden

18. Announcements and Future Agenda Items

A. Announcements

- 700 Forms

B. Future Agenda Items

- Long Range Property Management Plan

- Other Administrative Issues

Bill Bartels asked if there is any new RDA legislation.

- **Staff Response:** Homes and Jobs Act imposes \$75.00 recording fee on all documents filed in the Recorder's Office and fees will be remitted to Housing and Community Development (HCD). There is significant support for the bill. The County has concerns about the legislation and State Recorder's Office will oppose.
- Jeff Burgh commented that he had learned from a meeting with State Controller's Office that the State Controller and the DOF are now coordinating their efforts and that the State Controller will now be auditing all RDAs' activities. He also stated that properties subject to bonds were discussed at the meeting and the DOF is maintaining its position that bond payments cannot be accelerated.

Donna McKendry asked direction from the Oversight Board regarding the LRPMP and making bond payments. The Oversight Board directed Staff to state, in the LRPMP, that (for now) the Successor Agency will hold the Storm Drain and Town Square assets until the bonds are paid in full.

Next Regular Oversight Board meeting is scheduled for June 13, 2013 at 2:00 p.m.

Adjournment: The Board adjourned at 2:48 P.M.