

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

**OFFICIAL SUMMARY
MINUTES
September 11, 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, Christy Madden, David Keebler

Members Absent: None

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

Staff Absent: None

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.)

There were no public comments.

5. Receive and File Without Objection or Amendment the Minutes for June 12, 2014 Regular Meeting.

Motion to receive and file without objection or amendment the Minutes for the June 12, 2014 Regular Meeting.

David Brown from the County Executive Office Fiscal Department requested a modification on item 6 of the June 12, 2014 minutes to reflect a positive \$6,000 projected ending balance instead of negative. Minutes will be revised to reflect changes.

The Minutes, as revised, were accepted, received, and filed.

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

David Brown reported on the Successor Agency's current financial status to the Oversight Board (OB) members. Mr. Brown reported that the Successor Agency's financial status is about where projected in August; there were some small expenditures, but nothing out of the ordinary. The \$41,000 deferred maintenance work has yet to be completed or billed; however, GSA has confirmed that the birds have left the property and GSA will begin deferred maintenance work shortly. The expenditure should be incurred in October, 2014.

No action was taken by the OB.

7. Receive and File the California State Controller's Exit Conference Letter and the Final Report for the County of Ventura Redevelopment Agency Asset Transfer Review.

Successor Agency (SA) staff, Donna McKendry, reported that the State Controller's Office (SCO) conducted an audit regarding all transfers of assets of the former RDA to determine if any unauthorized transfers occurred after January 1, 2011. Both the SCO's exit conference letter and its final report state that the SCO audit team did not find any unallowable transfers and had no negative findings to report on the SA. Staff recommended that the OB receive and file the SCO exit conference letter and final report.

Motion to receive and file SCO exit conference letter and final report.

*Moved by Paula Driscoll seconded by David Keebler.
Vote: 7-0*

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

Donna McKendry confirmed that GSA has reported the birds have vacated their nests at the Piru Town Square Depot and that GSA has scheduled the deferred maintenance work to begin on September 15, 2014.

No action was taken by the OB.

9. **Receive and File the Department of Finance Determination Letter, Dated June 20, 2014, Regarding Resolution No. 14-10 Approving the Sale of the Bank Building to Rancho Temescal, LLC for \$73,000.**

Donna McKendry reminded the OB that at its June 12, 2014 Oversight Meeting, the OB adopted Resolution No. 14-10 approving the sale of the Piru Bank Building to Rancho Temescal, LLC for \$73,000. She then reported that, on June 20, 2014, Department of Finance issued a determination letter, approving Resolution No. 14-10 and the sale of the Bank Building to Rancho Temescal. Staff recommended that the OB receive and file the DOF determination letter.

Motion to receive and file DOF Determination Letter

*Moved by Christy Madden seconded by David Keebler.
Vote: 7-0*

10. **Receive and File the Rancho Temescal, LLC Check, the Grant Deed, The County of Ventura Auditor Controller's Property Tax Check, and the Asset transfer Remittance Spreadsheet Documenting the Sale of the Bank Building and the Distribution of Net Proceeds to the Taxing Entities and Direct Successor Agency Staff to Take Action Related Thereto.**

Donna McKendry reported that, as authorized by Resolution No. 14-10, the bank building was sold to Rancho Temescal, LLC, for \$73,000, and that on June 23, 2014, the SA received a check for that amount. County Real Estate Services processed the sale and provided SA staff with a copy of the recorded Grant Deed, as evidence of the sale and final transfer of the property. SA fiscal staff worked with the County Auditor Controller's office to ensure that the net proceeds were distributed to the taxing entities. Staff recommended that the OB receive and file the documents evidencing the sale and transfer of the Bank Building and the distribution of net proceeds

Motion to receive and file documents regarding sale of the Bank Building and the distribution of the net proceeds.

*Moved by Heather Kurpiewski, seconded by Christy Madden.
Vote: 7-0*

11. Receive and File Resolution No. 14-12, as Executed by the Board's Chair, Regarding the Conditional Transfer of the Piru Town Square Depot Project to the County of Ventura, and the Department of Finance's Determination Letter Approving Said Resolution.

Donna McKendry reminded the OB of its Resolution No. 14-08, approving the transfer of the Piru Town Square Depot to the County, and issues that GSA was having regarding deferred maintenance work due to birds nesting in the facilities. Ms. McKendry also reminded the OB that the transfer was conditioned on deferred maintenance taking place sometime after the birds vacated the property but before December 20, 2014, in an amount not to exceed \$41,000. At the OB's direction, SA staff had formalized this action into Resolution No. 14-02, which Chair Bartels was authorized to sign on behalf of the OB. Staff submitted it to the DOF for approval. Ms. McKendry reported that, on June 20, 2014, the DOF had issued a determination letter approving the transfer as conditioned. Staff recommended that the OB review, receive and file Resolution No. 14-12 and the DOF's determination letter.

Motion to review, receive and file Resolution No. 14-12 and the DOF's determination letter.

*Moved by Paula Driscoll, seconded by David Keebler,
Vote: 7-0*

12. Receive and File the County of Ventura Board of Supervisors' Minute Order, Dated June 24, 2014, Documenting the County of Ventura's Approval and Acceptance of the Transfers from the Successor Agency of the Piru Town Square Depot Improvements to the General Services Agency Parks Department and of the Piru Storm Drain to the Public Works Agency Transportation Department.

Donna McKendry reported that SA Staff had worked to facilitate the transfer of the Piru Town Square Depot and the Piru Storm Drain to the County of Ventura, which the OB had approved by adoption of Resolution Nos. 14-08, 14-09 and 14-12. Ms. McKendry reported that a Board letter was submitted to the County of Ventura's Board of Supervisors and approved unanimously at its June 24, 2014 meeting. Staff recommended that the OB receive and file the Board of Supervisors' minute order and Board letter dated June 24, 2014.

Motion to receive and file the minute order and Board Letter.

*Moved by David Keebler, seconded by Paula Driscoll,
Vote: 7-0*

13. **Receive and File the Executed Agreements Between the Successor Agency and the County of Ventura’s Auditor-Controller’s Office, County Executive Office and the General Services Agency, effective July 1, 2014 through June 30, 2015, and Receive and File the Department of Finance E-mail Notice, Dated June 16, 2014, Regarding Resolution No. 14-11 Approving the Authorization of the Successor Agency to Reenter into Four Agreements with the County of Ventura and the Delegation of Authority to the Successor Agency Secretary to Sign These Agreements.**

Donna McKendry reported that, after the OB’s June 12, 2014 meeting, and pursuant to Resolution No. 14-11, which authorized the SA to reenter four agreements (MOAs) with the County of Ventura and for the SA secretary to sign the MOAs, County officials and SA staff executed the MOAs between the SA and the Auditor-Controller’s Office, County Executive Office and General Services Agency. Ms. McKendry informed the OB that the MOA with the Office of County Counsel, however, required minor revisions and was being presented for approval, as amended, later during the meeting. Staff stated that, on June 16, 2014, the DOF sent an email notice approval of resolution No. 14-11. Staff recommended that the OB receive and file the executed MOA’s for the ACO, CEO and GSA as well as the DOF’s email notice.

Motion to receive and file the executed MOA’s for the ACO, CEO and GSA as well as the DOF’s email notice

*Moved by David Keebler, seconded by Christy Madden,
Vote: 7-0*

14. **Adopt Resolution 14-13 Ratifying Chair Bartel’s Approval of an Amended Memorandum of Agreement with the County of Ventura’s Office of County Counsel, as Executed by Successor Agency Staff, and Receive and File the Executed County Counsel Memorandum of Agreement.**

Donna McKendry reported that, as discussed under item #13, the County Counsel MOA required minor revisions; Chair Bartels reviewed and approved the changes and then signed the revised MOA, which was executed by County Counsel Leroy Smith. SA Staff recommended that the OB adopt Resolution No. 14-13, ratifying the Chair’s approval of the revised County Counsel MOA and then receive and file the revised MOA and forward copies to the DOF for review and approval.

OB Member Heather Kurpiewski noted an additional error in and requested further revisions be made to the numbering sequence in section 3 of the MOA. Assistant County Counsel Roberto Orellana advised that subsections 3a and 3b could be added to fix the error and a required cross-reference. SA Staff and County Counsel Leroy Smith could then initial these changes prior to submission of the MOA to the DOF.

Motion to adopt Resolution No. 14-13 ratifying the Chair's approval and to receive and file the executed MOA for the office of County Counsel as well as the DOF's email notice, and to have further, minor revisions to numbering in section 3 made and initialed before the MOA is forwarded to the DOF for final review.

*Moved by Matt Carroll seconded by David Keebler,
Vote: 7-0*

15. Adoption of Resolution No. 14-14 Approving the Administrative Budget for the Successor Agency to the Former Redevelopment Agency of the County of Ventura for January 1, 2015 through June 30, 2015.

Donna McKendry reported that, pursuant to Health and Safety codes section 34177(j), the SA must prepare a proposed admin budget and submit it for approval by the OB. Accordingly, the SA prepared and presented to the OB an admin budget for the period from January 1, 2015, through June 30, 2015, and Resolution No. 14-14 for OB approval of the proposed budget. Staff recommended that the OB adopt Resolution No. 14-14.

OB Member Paula Driscoll asked for clarification of expenditures and an explanation of the budget's listing of \$9,000 for meeting costs. Roseanna Bati from the County Executive Office Fiscal Department explained the \$9,000 item was placed in the budget to cover an unanticipated but potential contingency. David Brown stated that, since the next ROPS will be the first ROPS after disposition of the assets of the former Redevelopment Agenda, a cushion amount had been added to the budget to ensure that the SA has the ability to meet unanticipated expenditures. In addition, any reduction in the budget below the amount from the \$250,000, requires OB approval since the DOF is required to provide a floor of \$250,000 for administrative costs.

Motion to adopted Resolution No. 14-14

*Moved by Matt Carroll seconded by Christy Madden,
Vote: 7-0*

16. Adoption of Resolution No. 14-15 Approving the Recognized Obligation Payment Schedule (ROPS 14-15B) for January 1, 2015, through June 30, 2015, Setting Forth a Schedule of Payments for Obligations of the Successor Agency and Directing Transmission of the Approved ROPS 14-15B to the Ventura County Auditor-Controller, State Controller's Office, State Department of Finance, as well as Posting of the Approved ROPS 14-15B Schedule on the Successor Agency Internet Website.

Donna McKendry reported that SA staff had prepared a recognized obligation payment schedule (ROPS 14-15B), for the period from January 1, 2015, through

June 30, 2015, and that October 3, 2015, is the deadline for the SA to submit a resolution approving ROPS 14-15B to the DOF along with the approved ROPS.

Staff recommended the OB adopt Resolution No. 14-15, approving ROPS 14-15B and directing SA staff to transmit the approved ROPS 14-15B to the DOF, Ventura County's Auditor Controller's office, and the State Controller's office and post the approved ROPS on the SA website.

Motion to adopt Resolution No. 14-15

*Moved by Paula Driscoll seconded by David Keebler,
Vote: 7-0*

17. Adoption of Resolution No. 14-16 Approving the Updated Conflict of Interest Code and Directing Successor Agency Staff to Transmit the Approved Updated Conflict of Interest Code to the Clerk of the Board of Supervisors and the State Department of Finance, and to Post the Updated Conflict of Interest Code on the Successor Agency's Internet Website.

Donna McKendry reported the California Political Reform Act requires local agencies to adopt and make publicly available Conflict of Interest Codes. She reminded the OB that, at its May 11, 2012 meeting, the OB had approved a Conflict of Interest Code and submitted it to the County of Ventura Board of Supervisors, who approved it on August 7, 2012. Pursuant to Government Code 87306.5, all conflict of interest codes must be reviewed and amended as needed and then adopted (even if unchanged) in each even numbered year. As a result, the County's Clerk of the Board has submitted a letter requesting OB approval of an updated Conflict of Interest code by no later than October 1, 2014. Staff then presented to the OB an updated Conflict of Interest package for its review and approval. Staff recommended adoption of Resolution No. 14-16, approving the updated Conflict of Interest Codes and directing SA staff to submit the approved Conflict of Interest package to the County's Clerk of the Board on or before October 1, 2014, and to the DOF, along with the adopted Resolution No. 14-16 and to post these documents on the SA's website.

*DMP
Section*

OB Member Driscoll asked this impacted the Form 700 that members are required to submit yearly. Donna McKendry advised that it does not affect that form and there is no need to refile until next year.

Motion to approve Resolution No. 14-16.

*Moved by Paula Driscoll seconded by Christy Madden,
Vote: 7-0*

18. Announcements and Future Agenda Items
A. Announcements

- Legislation and Litigation Updates

Jaclyn Smith provided a summary of legislative items that have come before the California legislature, including AB 440 and AB 1963 that might impact the OB; however, no notable legislation had been enacted into law at this time. It was noted that AB 2280 is an attempt to revive redevelopment agencies and that this bill is pending final action.

B. Future Agenda Items

- Other Administrative Issues

Next Regular Oversight Board meeting is scheduled for October 9, 2014 at 2:00 p.m.

Adjournment: The Board adjourned at 2:32 p.m.