

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

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## **REGULAR MEETING AGENDA**

**September 14, 2012**

**3:00 PM**

County Government Center  
Hall of Administration  
County Executive Office  
Large Conference Room – 4<sup>th</sup> Floor  
800 S. Victoria Avenue  
Ventura, California 93009

### **MEMBERS OF THE BOARD**

BILL BARTELS, CHAIR  
PAULA DRISCOLL,  
VICE CHAIR  
MATT CARROLL  
TOM CASPER  
DAVID KEEBLER  
CHRISTY MADDEN

**Persons who require accommodation for any audio, visual or other disability in order to review an agenda, or to participate in a meeting of the Oversight Board per the American Disabilities Act (ADA), may obtain assistance by requesting such accommodation in writing addressed to the County Executive Office, 800 South Victoria Avenue, Loc. #1940, Ventura, CA 93009 or telephonically by calling (805) 477-1994. Any such request for accommodation should be made at least 48 hours prior to the scheduled meeting for which assistance is requested.**

**All agenda reports and supporting data, including those filed in accordance with Government Code Section 54957.5 (b) (1) and (2) are available from the County Executive Office, Ventura County Government Center, Hall of Administration, 4<sup>th</sup> Floor, 800 South Victoria Avenue, Ventura, California. The same materials will be available and attached with each associated agenda item, when received, at the following website:**

**[www.countyofventura.org/ceo/divisions/communitydevelopment/RDA](http://www.countyofventura.org/ceo/divisions/communitydevelopment/RDA)**

Welcome to the Meeting of the Oversight Board to the Successor Agency to the Former Redevelopment Agency of the County of Ventura.

The following information is provided to help you understand, follow, and participate in the Board meeting:

Pursuant to California Government Code Section 54953 (a) et al., time is set aside for citizen presentations regarding Oversight Board related matters. Those wishing to speak must fill out a speaker card and submit it to the Secretary. Speaker cards for issues not on the agenda must be submitted to the Secretary

prior to the beginning of the public comment period. Agendized item, speaker cards must also be submitted before the item is taken up for consideration. The Secretary may not accept any additional speaker cards once an item commences.

Members of the public making oral presentations to the Board in connection with one or more agenda or non-agenda items at a single meeting are limited to a cumulative total of time not to exceed five (5) minutes for all of their oral presentations at such meeting unless otherwise provided. The entire public comment period is limited to no more than thirty (30) minutes total for all speakers.

Members of the public who desire to augment their comments with visual or audio presentations using County equipment must submit their materials to the County Executive Office and the Chair for review before use of County equipment will be allowed. The review will be conducted to determine only whether the materials are on matters within the jurisdiction of the Board, would be disruptive of the meeting, or would foster illegality, such as identity theft. If it is determined the materials are about matters not within the Board's jurisdiction, or would be disruptive of the meeting, or would foster illegality, use of County equipment will not be allowed.

### **OPENING**

1. Call to Order.
2. Roll Call.
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. Approval of Minutes for August 10, 2012 Regular Meeting.

Consider Approval of Minutes for August 10, 2012 Regular Meeting.  
Staff Recommends: Approve as submitted.

6. **Adoption of Resolution No. 12-10 Authorizing and Ratifying the Successor Agency's Decision to Enter Into an Agreement with Vavrinek, Trine, Day & Company to Conduct the Due Diligence Reviews Required by Health and Safety Code Sections 34179.5 and 34179.6, and to Present and Seek Oversight Board Review and Approval of the First Required Due Diligence Review at Oversight Board Meetings on October 5 and 12, 2012.**

Consider Adoption of Resolution No. 12-10 Ratifying the Successor Agency's Decision to Enter Into an Agreement, with the approval of County's

Auditor-Controller, to Engage the Services of Vavrinek, Trine, Day & Company, a Licensed Accountant, to Conduct the Due Diligence Reviews Required by the Provisions of AB 1484 and Delegating to the Successor Agency's Secretary the Authority to Sign Said Agreement and to Present and Seek Oversight Board Review and Approval of a Due Diligence Review at a Special Public Comment Meeting on October 5, 2012.

Staff Recommends: Adoption of Resolution No. 12-10.

7. **Adoption of Resolution No. 12-11 Authorizing and Directing the Successor Agency Staff to File "Meet and Confer" Requests with the Department of Finance to Resolve Any Disputes Regarding the Decisions and Determinations of the Oversight Board.**

Consider Adoption of Resolution No. 12-11 Authorizing and Directing the Successor Agency Staff to File "Meet and Confer" Requests With the Department of Finance To Resolve Any Dispute Regarding Your Board's Decisions, Including with Respect to the Amount of Low and Moderate Income Housing Funds to be Distributed to Taxing Entities As Determined by the Department of Finance Under the Due Diligence Review Process of Health and Safety Code Section 34179.6, Provided Any Such Requests Are Subject to Oversight Board Ratification at Its Next Regularly Scheduled Meeting.

Staff Recommends: Adoption of Resolution.

8. Announcements and Future Agenda Items

A. Announcements.

- Status of Bank Building Asset
- Status of the Piru Town Square and Piru Storm Drain Assets

B. Future Agenda Items.

- Agreed Upon Procedures (AUP) audit due Oct 1, 2012
- LMIHF Due Diligence Review –Oversight Board Review and Public Comment, Special Meeting on October 5, 2012
- LMIHF Due Diligence Review – Oversight Board Review and Approval, on October 12, 2012 Agenda
- Review for approval a revised ROPS for Jan-June 2013 to increase allocation for the licensed accountant for the second Due Diligence Review
- Pending November Oversight Board meeting(s) to discuss DOF actions regarding LMIHF Due Diligence Review
- Second Due Diligence Review on all other fund and account balances due December 15, 2012 and approved review due to DOF on January 15, 2013

- Other Administrative Issues

Next Special Oversight Board meeting is scheduled for October 5, 2012.

Adjournment:

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

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**OFFICIAL SUMMARY  
MINUTES**

**August 10, 2012**

**3:00 PM**

County Government Center  
Hall of Administration  
County Executive Office  
Large Conference Room - 4<sup>th</sup> Floor  
800 S. Victoria Avenue  
Ventura, California 93009

**OPENING**

1. Call to Order.

2. Roll Call.

Quorum established.

**Members Present:** Paula Driscoll, David Keebler, Tom Kasper, Matt Carroll, and Christy Madden

**Members Absent:** Bill Bartels

**Staff Present:** Mary Ann Guariento, Jaclyn Smith, Roberto Orellana, Donna Plummer and Beverly Monnier

**Staff Absent:** Mike Powers

3. Pledge of Allegiance to the Flag of the United States of America.

4. Public Comments

There were no public comments.

5. Approval of Minutes July 13, 2012 Regular Meeting

Moved by Christy Madden, seconded by David Keebler

Vote: 4-0 (Member Matt Carroll abstained)

Yes: Paula Driscoll, David Keebler, Tom Kasper, Christy Madden

6. Adoption of a Resolution Approving the Administrative Budget for the Time Period of July 1, 2012 through December 31, 2012, as Required by ABx1 26 for the Successor Agency to the Former Redevelopment Agency of the County of Ventura.

Discussion: Ms. Mary Ann Guariento, County Executive Office Accounting Officer, clarified the Successor Agency is contracting with the Auditor Controller for \$20,000 for the fiscal year, but the Agency does not expect to pay the invoice until the last month of the fiscal year. The items on the Administrative Budget are exactly the amounts included on the already approved ROPS for the same period.

Motion: To adopt Resolution Approving the Administrative Budget for the Time Period of July 1, 2012 through December 31, 2012, as Required by ABx1 26 for the Successor Agency to the Former Redevelopment Agency of the County of Ventura.

Moved by Christy Madden, seconded by Matt Carroll

Vote: 5-0

Yes: Paula Driscoll, David Keebler, Tom Kasper, Matt Carroll, and Christy Madden

7. Adoption of a Resolution Approving the Administrative Budget for the Time Period of January 1, 2013 through June 30, 2013, as Required by ABx1 26 for the Successor Agency to the Former Redevelopment Agency of the County of Ventura.

Discussion: Ms. Guariento stated this item pertains to the timing of payments and explained that payments for administrative costs of County of Ventura staff (Ms. Plummer, Ms. Guariento, and Ms. Madden) are made as follows: the first quarter is paid during the first six months of the fiscal year, and then the three remaining quarters are made in the last six months of the fiscal year.

Motion: To adopt a Resolution Approving the Administrative Budget for the Time Period of January 1, 2013 through June 30, 2013, as Required by ABx1 26 for the Successor Agency to the Former Redevelopment Agency of the County of Ventura.

Moved by David Keebler, seconded by Christy Madden

Vote: 5-0

Yes: Paula Driscoll, David Keebler, Tom Kasper, Matt Carroll, and Christy Madden

8. Adoption of Resolution Approving the Recognized Obligation Payment Schedules (ROPS) for January 1, 2013 through June 30, 2013 Setting Forth a Schedule of Payments for Obligations of the Successor Agency and Transmission of Schedules to the Ventura County Auditor-Controller, State Controller's Office, State Department of Finance with Posting of Schedules to Successor Agency Internet Website.

Discussion: Ms. Donna Plummer, Successor Agency Secretary, clarified this item pertains to ROPS due September 1, 2012 to Department of Finance.

Ms. Paula Driscoll, Board Member, raised a question regarding the Residual Property Tax Fund that concerns two projects still outstanding due to bond contract transfer issues. Ms. Jaclyn Smith, Assistant County Counsel, explained that USDA bonds received by the former Piru RDA for the Piru Storm Drain and Piru Town Square may be transferred to the County, as sponsoring community, so long as a transfer agreement clarifies that proceeds from the bonds will continue to be used for a governmental purpose. The language is critical to the transfer because registered owners of the bonds could face taxable issues if the funds are no longer used for a governmental purpose. While approval from the USDA is not required for the transfer, Successor Agency staff will write a letter to the USDA seeking its consent to the transfer. Ms. Donna Plummer will track the communications with USDA on the transfer process.

Motion: To Adopt a Resolution Approving the Recognized Obligation Payment Schedules (ROPS) for January 1, 2013 through June 30, 2013 Setting Forth a Schedule of Payments for Obligations of the Successor Agency and Transmission of Schedules to the Ventura County Auditor-Controller, State Controller's Office, State Department of Finance with Posting of Schedules to Successor Agency Internet Website.

Moved by Matt Carroll, seconded by Tom Kasper

Vote: 5-0

Yes: Paula Driscoll, David Keebler, Tom Kasper, Matt Carroll, and Christy Madden

9. Announcements and Future Agenda Items.

A. Announcements.

- County of Ventura Board of Supervisors passed Conflict of Interest Code on August 7, 2012
- County of Ventura Board of Supervisors approved the transfer of the Skate Park project to the County's General Services Agency Parks Department
- USDA letter/Long Range Property Management Plans

B. Future Agenda Items.

- Agreed Upon Procedures (AUP) audit due Oct 1, 2012

Ms. Driscoll asked how the audit due October 1, 2012 is looking. Ms. Guariento stated the Auditor provided a draft letter pertaining to the Agreed Upon Procedures review regarding minor exceptions involving the transfer. Responses were provided, and the final letter from the Auditor will be forthcoming.

- Due Diligence Review due to DOF by Dec 15, 2012  
“Due Diligence Review” is described by Ms. Guariento as similar to an audit and requires an outside licensed accountant. Staff is trying to determine which entity is responsible for payment of the audit.
- Other Administrative Issues

Next Regular Oversight Board meeting is scheduled for September 14, 2012 at 3:00.

10. The Board adjourned at 3:31 p.m.



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

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**DATE:** September 14, 2012

**TO:** Oversight Board to Successor Agency

**FROM:** Donna Plummer, CEO Management Analyst

**SUBJECT: Adoption of Resolution No. 12-10 Authorizing and Ratifying the Successor Agency's Decision to Enter Into an Agreement with Vavrinek, Trine, Day & Company to Conduct the Due Diligence Reviews Required by Health and Safety Code Sections 34179.5 and 34179.6, and to Present and Seek Oversight Board Review and Approval of the First Required Due Diligence Review at Oversight Board Meetings on October 5 and 12, 2012.**

**RECOMMENDATION:**

It is recommended that your Board:

1. Adopt Resolution No. 12-10, attached as Exhibit A.
2. Call a Special Oversight Board Public Comment Meeting on October 5, 2012, at 3:00 p.m.
3. Direct the Successor Agency staff to report on and seek Board review of the Due Diligence Review at the Oversight Board's special meeting on October 5, 2012, and regular business meeting on October 12, 2012.

**REASON FOR RATIFICATION:**

Subdivision (a) of Health and Safety Code Section 34179.5(a) requires the Successor Agency governed by your Board to employ a licensed accountant, approved by the County's Auditor Controller, to conduct a due diligence review to determine the Successor Agency's unobligated balances available for transfer to the appropriate taxing entities. However, until recently, there were no posted procedures on how to conduct the review, which made hiring a licensed accountant infeasible. On August 27, 2012, the Department of Finance (DOF) posted, on its website, Due Diligence Review Procedures. Staff then proceeded to engage a licensed accountant for this review.

Pursuant to Subdivision (a) of Health and Safety Code Section 34179.6, the Due Diligence Review of Low and Moderate Income Housing Fund (LMIHF) must be submitted to your board, the County Auditor Controller, and the Department of Finance by October 1, 2012. In order to meet the October deadline, it was imperative to secure an agreement with a licensed accountant as quickly as possible. Therefore, on September 4, 2012, Successor Agency staff, with the approval of the County's Auditor Controller, entered an agreement with Vavrinek, Trine, Day & Company (VTD) to perform the required reviews. (See Exhibits B and C.)

**FISCAL IMPACT:**

The cost for VTD's services to timely complete the LMIHF Due Diligence Review is estimated at \$6,000 to \$10,000. The budgeted amount of \$10,000 for the Due Diligence Review was approved by your Board last month (subject to review by the DOF) and scheduled on the January-June 2013 ROPS. Another Due Diligence Review is due on December 15, 2012, for all other fund and account balances. If necessary, Staff will submit to your Board a revised ROPS for the January-June 2013 period reflecting any new estimate for the additional work required in November and December 2012.

**DISCUSSION:**

Pursuant to Health and Safety Code Section 34179.5(a), "each successor agency shall employ a licensed accountant, approved by the county auditor-controller and with experience and expertise in local government accounting, to conduct a due diligence review to determine the unobligated balances available for transfer to taxing entities." The LMIHF review from VTD is due by October 1, 2012.

Pursuant to Health and Safety Code Section 34179.6(b), "Upon receipt of the [LMIHF] review, the oversight board shall convene a public comment session to take place at least five business days before the oversight board holds the approval vote specified in subdivision (c). The oversight board also shall consider any opinions offered by the county auditor-controller on the review results submitted by the successor agencies."

Pursuant to Health and Safety Code Section 34179.6(c), "By October 15, 2012, for the Low and Moderate Income Housing Fund . . . , the oversight board shall review, approve, and transmit to the department and the county auditor-controller the determination of the amount of cash and cash equivalents that are available for disbursement to taxing entities . . . ." As a practical matter, to meet this deadline, your approval of the LMIHF Due Diligence Review must be completed by the time of your Board's regular meeting on October 12, 2012.

Therefore, staff recommends your Board schedule and hold a special Public Comment Meeting on October 5, 2012, at 3:00 p.m., at which time staff will first present the LMIHF Due Diligence Review for your Board's review, and that your Board finish its review at a second session, held during your regular business meeting set for October 12, 2012.

Exhibit A – Resolution  
Exhibit B – VTD Selection Letter  
Exhibit C – Auditor Controller Approval Letter

**RESOLUTION NO. 12-10**

**RESOLUTION OF THE OVERSIGHT BOARD FOR THE SUCCESSOR AGENCY TO  
THE FORMER REDEVELOPMENT AGENCY OF THE COUNTY OF VENTURA, STATE OF CALIFORNIA,  
AUTHORIZING THE SUCCESSOR AGENCY TO ENTER INTO AN AGREEMENT TO ENGAGE THE SERVICES  
OF A LICENSED ACCOUNTANT TO CONDUCT STATUTORILY REQUIRED DUE DILIGENCE REVIEWS**

The Oversight Board for the Successor Agency to The Former Redevelopment Agency of the County of Ventura does resolve as follows:

WHEREAS, Assembly Bill x1 26 ("ABx1 26") was passed by the State Legislature on June 15, 2011, signed by the Governor on June 28, 2011, and upheld by the Supreme Court of California on December 29, 2011; and

WHEREAS, among other things, ABx1 26 added Part 1.85 of Division 24 to the California Health and Safety Code; and

WHEREAS, by enactment of Part 1.85 of Division 24 of the Health and Safety Code and the decision of the Supreme Court, The Redevelopment Agency of the County of Ventura was dissolved as of February 1, 2012, such that the County of Ventura was designated the Successor Agency to The Redevelopment Agency of the County of Ventura ("Successor Agency"); and

WHEREAS, Assembly Bill 1484 ("AB 1484") was passed by the State Legislature and signed by the Governor effective June 27, 2012; and

WHEREAS, among other things, AB 1484 adds sections 34179.5 and 34179.6 to the California Health and Safety Code; and

WHEREAS, pursuant to subdivision (a) of Health and Safety Code Section 34179.5, each successor agency shall employ a licensed accountant, approved by the county auditor-controller and with experience and expertise in local government accounting, to conduct due diligence reviews to determine the unobligated balances available for transfer to taxing entities and submit such reviews to the oversight board for approval; and

WHEREAS, the successor agency is willing to employ the licensed accountant already selected by the Successor Agency's staff and approved by the County's Auditor-Controller to conduct the required due diligence reviews pursuant to Health and Safety Code Sections 34179.5(a) and 34179.6.

NOW, THEREFORE BE IT FOUND AND RESOLVED AS FOLLOWS:

1. The above recitations are true and correct.
2. The Successor Agency is hereby authorized to employ the licensed accountant approved by the County Auditor-Controller, as shown in Exhibits B and C hereto, to conduct the due diligence reviews pursuant to Health and Safety Code sections 34179.5 and 34179.6.

3. The Oversight Board authorizes and directs the Successor Agency to take any and all actions required to conduct and submit the required due diligence reviews, including scheduling a special public meeting of the Oversight Board on October 5, 2012, on the Low and Moderate Income Housing Fund review due from the accountant by October 1, 2012.

PASSED, APPROVED, AND ADOPTED by the Oversight Board, on a motion by Board Member Matt Carroll, seconded by Member Paula Druscol, this 14 day of September 2012.

By:   
Chair  
Oversight Board

ATTEST:

By:   
Successor Agency Secretary

# county of ventura

**COUNTY EXECUTIVE OFFICE**  
**MICHAEL POWERS**  
County Executive Officer

**J. Matthew Carroll**  
Assistant County Executive Officer

**Paul Derse**  
Assistant County Executive Officer/  
Chief Financial Officer

**Catherine Rodriguez**  
Assistant County Executive Officer/  
Labor Relations & Strategic Development

**Kelly Shirk**  
Director Human Resources

September 4, 2012

Vavrinek, Trine, Day & Co., LLP  
Attention: Roger Alfaro, CPA  
8270 Aspen Street  
Rancho Cucamonga, CA 91730

**SUBJECT: DUE DILIGENCE AGREED UPON PROCEDURES FOR THE LOW/MOD FUND OF THE FORMER  
REDEVELOPMENT AGENCY OF THE COUNTY OF VENTURA**

Dear Mr. Alfaro,

This letter confirms that Vavrinek, Trine, Day & Co., LLP, has been selected to perform the due diligence agreed upon procedures for the Low/Mod Fund of the former Redevelopment Agency of the County of Ventura in accordance with California Health & Safety Code Section 34179.5.

A purchase order will be issued, which will serve as the audit contract. Please contact Joanne McDonald in the Auditor-Controller's Office at 805-654-3191 or [Joanne.McDonald@ventura.org](mailto:Joanne.McDonald@ventura.org) to coordinate planning and field work.

Regards,



DONNA PLUMMER

Secretary, Successor Agency to the Redevelopment Agency of the County of Ventura

cc: Paul Derse, Chief Financial Officer  
Joanne McDonald, Deputy Director Auditor-Controller

**CHRISTINE L. COHEN**  
**AUDITOR-CONTROLLER**

COUNTY OF VENTURA  
800 SOUTH VICTORIA AVE.  
VENTURA, CA 93009-1540



**ASSISTANT**  
**AUDITOR-CONTROLLER**  
JEFFERY S. BURGH

**CHIEF DEPUTIES**  
LOUISE WEBSTER  
SANDRA BICKFORD  
BARBARA BEATTY  
JOANNE McDONALD

September 4, 2012

Ms. Donna Plummer, Management Analyst II  
County of Ventura Successor Agency  
800 South Victoria Avenue, L#1940  
Ventura, CA 93009-1940

**RE: SELECTION OF AUDIT FIRM FOR ASSEMBLY BILL 1484 ("AB 1484") DUE DILIGENCE REVIEW**

Dear Ms. Plummer:

On August 29, 2012, we received an email that requested approval to engage the audit firm of Vavrinek, Trine, Day & Company ("VTD"), to perform the due diligence review for the County of Ventura Successor Agency ("Piru") as required by the provisions of AB 1484. In accordance with Health and Safety Code §34179.5(a), as Auditor-Controller for the County of Ventura, I approve your selection of VTD to perform the due diligence review.

If you have any questions, please do not hesitate to call Chief Deputy Auditor-Controller Sandy Bickford at (805) 654-3170. If you prefer, you may email Mrs. Bickford at [sandra.bickford@ventura.org](mailto:sandra.bickford@ventura.org).

Sincerely,

A handwritten signature in black ink, appearing to read "Christine L. Cohen".

Christine L. Cohen  
Auditor-Controller

c: Joanne McDonald, Chief Deputy Auditor-Controller  
Valerie Barraza, Fiscal Manager III  
MaryAnn Guariento, County Executive Office

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

---

**DATE:** September 14, 2012

**TO:** Oversight Board to Successor Agency

**FROM:** Donna Plummer, CEO Management Analyst

**SUBJECT: Adoption of Resolution No. 12-11 Authorizing Successor Agency Staff to File “Meet and Confer” Requests With the Department of Finance (DOF) To Resolve Any Disputes Regarding Actions Taken by Your Board, Including Actions Related to the Low and Moderate Income Housing Funds to be Distributed to Taxing Entities Under the Due Diligence Review Process Required by Health and Safety Code Sections 34179.5 and 34179.6, Provided That Such Requests Shall Be Presented to your Board for Ratification at Its Next Regular Meeting Following the Filing of Any Such Requests**

**RECOMMENDATION:**

It is recommended that your Board:

1. Adopt Resolution No. 12-11, attached as Exhibit A.
2. Direct the Successor Agency staff to bring any and all “meet and confer” requests filed by the Successor Agency to the Oversight Board’s attention at its next regularly scheduled meeting for ratification.

**FISCAL IMPACT:**

No fiscal impact.

**DISCUSSION:**

Pursuant to subdivision (m) of Health and Safety Code section 34177 and subdivision (e) of Health and Safety Code Section 34179.6, the Successor Agency may request “meet and confer” reviews when the DOF disapproves of certain actions taken by your



Board, including determinations associated with ROPS approved by your Board last month and the due diligence reviews described in Item 6 on today's agenda. The DOF may take such action based on its own analysis and information provided to it by the Successor Agency and others. (E.g., Health and Safety Code section 34179.6, subd. (d).) The DOF must complete its review of the determinations referenced in Item 6 no later than November 9, 2012. (Health and Safety Code section 34179.6, subd. (d).)

Thus, pursuant to Health and Safety Code Section 34179.6(e):

"The successor agency. . . may request to meet and confer with the [DOF] to resolve any disputes regarding the amounts or sources of funds identified as determined by the department. The request shall be made within five business days of the transmission, and no later than November 16, 2012, for the determination regarding the Low and Moderate Income Housing Fund, to the successor agency or the designated local authority of the department's determination, decisions, and explanations and shall be accompanied by an explanation and documentation of the basis of the dispute. The department shall meet and confer with the requesting party and modify its determinations and decisions accordingly. The department shall either confirm or modify its determinations and decisions within 30 days of the request to meet and confer."

Due to the fact that the successor agency must file meet and confer requests with the DOF within five business days of the DOF's transmittal of its determinations under subdivision (m) of Health and Safety Code section 34177 and subdivision (d) of Health and Safety Code section 34179.6, the expectation that your Board may not be available to meet during such brief time-periods, and the need to communicate and provide explanations for your decisions to the DOF in a timely manner, staff is recommending that your Board authorize and direct Successor Agency staff to file meet and confer requests with the DOF, pursuant to Health and Safety Code sections 34177 and 34179.6, whenever necessary to preserve the opportunity to resolve any disputes regarding your determinations, subject to ratification and further direction by your Board at its next regularly scheduled meeting.

Exhibit A – Resolution

**RESOLUTION NO. 12-11**

**RESOLUTION OF THE OVERSIGHT BOARD FOR THE SUCCESSOR AGENCY TO  
THE FORMER REDEVELOPMENT AGENCY OF THE COUNTY OF VENTURA, STATE OF CALIFORNIA,  
AUTHORIZING AND DIRECTING THE SUCCESSOR AGENCY STAFF TO FILE "MEET AND CONFER"  
REQUESTS WITH THE DEPARTMENT OF FINANCE TO RESOLVE ANY DISPUTES REGARDING THE  
DECISIONS AND DETERMINATIONS OF THE OVERSIGHT BOARD**

The Oversight Board for the Successor Agency to The Former Redevelopment Agency of the County of Ventura does resolve as follows:

WHEREAS, Assembly Bill x1 26 ("ABx1 26") was passed by the State Legislature on June 15, 2011, signed by the Governor on June 28, 2011, and upheld by the Supreme Court of California on December 29, 2011; and

WHEREAS, among other things, ABx1 26 added Part 1.85 of Division 24 to the California Health and Safety Code; and

WHEREAS, by enactment of Part 1.85 of Division 24 of the Health and Safety Code and the decision of the Supreme Court, The Redevelopment Agency of the County of Ventura was dissolved as of February 1, 2012 such that the County of Ventura was designated the Successor Agency to The Redevelopment Agency of the County of Ventura ("Successor Agency"); and

WHEREAS, Assembly Bill 1484 ("AB 1484") was passed by the State Legislature and signed by the Governor effective June 27, 2012; and

WHEREAS, among other things, AB 1484 amends Section 34177 and adds Sections 34179.5 and 34179.6 to the California Health and Safety Code; and

WHEREAS, pursuant to Health and Safety Code Sections 34177 and 34179.6, should the California Department of Finance (DOF) decide to disapprove or adjust determinations of the Oversight Board pursuant to such sections, the Successor Agency has a limited period of time to file "meet and confer" requests with the DOF to present the Oversight Board's position with regard thereto; and

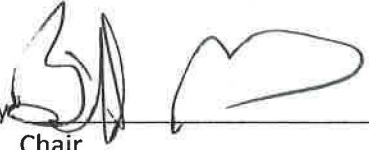
WHEREAS, pursuant to Health and Safety Code Sections 34177 and 34179.6, the "meet and confer" requests must be made within five business days of the DOF's transmission of its determinations, and no later than November 16, 2012, for its determination regarding the Oversight Board's action with respect to the Successor Agency's Low and Moderate Income Housing Fund review.

NOW, THEREFORE BE IT FOUND AND RESOLVED AS FOLLOWS:

1. The above recitations are true and correct.
2. Resolution No. 12-11 is hereby adopted.

3. The Oversight Board authorizes and directs the Successor Agency staff to file "meet and confer" requests with the DOF to resolve any dispute regarding the Oversight Board's decision, including with respect to the Low and Moderate Income Housing Funds (LMIHF) review and amounts to be distributed to taxing entities; provided all such meet and confer requests are subject to ratification by the Oversight Board at its next regular business meeting.

PASSED, APPROVED AND ADOPTED by the Oversight Board, on a motion by Board Member Christy Madden, seconded by Member Math Carroll, this 14 day of September 2012.

By:   
Chair  
Oversight Board

ATTEST:

By:   
Successor Agency Secretary