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

REGULAR MEETING AGENDA March 13, 2014 2:00 PM

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

Matt Carroll Tom Kasper David Keebler Heather Kurpiewski Christy Madden	Members of the Board:	David Keebler Heather Kurpiewski	- Chair - Vice Chair
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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, 4th 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.

REGULAR MEETING AGENDA

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 <u>cumulative</u> 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. Receive and File Without Objection or Amendment the Minutes for February 13, 2014 Regular Meeting.

Minutes for February 13, 2014 Regular Meeting are submitted for your receipt and review.

Staff Recommends: Receive and file as submitted.

- 6. Review the SA Monthly Administrative Financial Status Report and Take Action as Needed Thereon.
- 7. Review the Transfer of the Town Square Project and Storm Drain Project to the County of Ventura (County) and Take Action as Needed Thereon.
- 8. Review the DOF Response to the Long Range Property Management Plan and Take Action as Needed Thereon.
- 9. Review and Discuss Staff Report Outlining Issues Raised During Public Comment Period at Oversight Board's February 13, 2014 Meeting Regarding Resolution No. 13-13 and Previously Authorized Replacement of the Water Fountain at the Piru Town Square Depot; Take Action as Needed Thereon
- 10. General Services Agency (GSA) Presentation Regarding the Scope of Services for Deferred Maintenance Work Recommended at the Piru Town Square as Adopted by Resolution 14-01 on March 13, 2014 Approving the Revised Second Amendment to the GSA Services Contract; Discuss Maintenance Priorities and Take Action as Needed Thereon.
- 11. Announcements and Future Agenda Items
 - A. Announcements
 - Pending Legislation
 - B. Future Agenda Items
 - Other Administrative Issues

Next Regular Oversight Board meeting is scheduled for April 10, 2014 at 2:00 p.m.

Adjournment

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

OFFICIAL SUMMARY MINUTES February 13, 2014 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, Paula Driscoll, Tom Kasper, Heather
Kurpiewski, and Christy MaddenMembers Absent:David KeeblerStaff Present:Rosanna Bati, David Brown, Donna McKendry, Beverly
Monnier, Roberto Orellana, and Jaclyn SmithStaff 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.)
 - A. The Piru Neighborhood Council (PNC) has requested time to ask the Oversight Board (OB) to reconsider its decision to direct Successor Agenda

(SA) staff to remove the Piru water fountain and replace it with an irrigated tree, pursuant to Resolution No. 13-13.

PNC President C. King and seven Piru residents attended the meeting and provided a Petition signed by 67 Piru residents in support of the Town Square fountain feature being repaired instead of removed and replaced with a tree as previously ordered by the Oversight Board at its November 14, 2013 meeting. (The names of the residents who attended the meeting and the Petition are provided in Attachment A hereto.)

Oversight Board Chairman Bill Bartels explained to the Piru residents attending the meeting that the OB can hear their concerns and can direct SA staff to agendize the matter for Board action at a later date, but cannot take action at today's meeting.

<u>Discussion:</u> The Piru residents stated that the community prefers to have the fountain become operable; they enjoy the feature and feel that it is important to the community to have the fountain in working order. They argued that since the park is greatly used, it needs proper care and maintenance by the RDA Successor Agency.

OB Member Paula Driscoll raised questions about how this would affect the LRPMP (Item 8 on this meeting's Agenda), and whether it would impact work to be performed by the County's General Services Agency (GSA) under the terms of the maintenance contract before transferring the Town Square asset to the County of Ventura. The OB decided that it should formally address the GSA and other related issues (including reconsideration of Resolution No. 13-13 and any potential for volunteers caring for fountain) at its next meeting.

Oversight Board Chairman Bill Bartels directed Successor Agency (SA) Staff to agendize the residents' request at next month's OB meeting (March 13, 2014), and for staff to prepare a report of the issues regarding the fountain for the OB's consideration at that time.

5. Receive and File Without Objection or Amendment the Minutes for November 14, 2013 Regular Meeting.

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

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

6. Review the Successor Agency to the Former Redevelopment Agency of the County of Ventura (SA) Monthly Administrative Financial Status Report and Take Action as Needed Thereon.

Rosanna Bati, CEO Fiscal Department provided responses to several accounting questions from Oversight Board Members.

7. Receive and File the Written Receipt for the Transfer of the Lechler Museum Stained-Glass Window to the Piru San Salvador Catholic Church as Directed by Resolution No. 13-12.

Discussion: Successor Agency Secretary Donna McKendry informed the Oversight Board (OB) of the following: As directed by the OB on December 4, 2013, SA Staff met with Father Barney Gatlin, PNC President C. King, and Captain Monika McGrath to transfer the ownership of one stained-glass window to the Piru San Salvador Church. Father Barney took possession of the window on behalf of the church and signed the receipt. Staff recommended that the OB receive and file the receipt confirming the church's acceptance of the window.

<u>Motion:</u> To Receive and File the Written Receipt for the Transfer of the Lechler Museum Stained-Glass Window to the Piru San Salvador Catholic Church as Directed by Resolution No. 13-12.

Moved by Christy Madden, seconded by Paula Driscoll Vote: 6-0 Yes: Bill Bartels, Matt Carroll, Paula Driscoll, Tom Kasper, Heather Kurpiewski, and Christy Madden

8. Adoption of Resolution No. 14-01 Authorizing the Successor Agency to the Former Redevelopment Agency of the County of Ventura (SA) to Enter into a Second Amendment of the Memorandum of Agreement (MOA) Between the County of Ventura's General Services Agency (GSA) and the SA to Increase the Not to Exceed Amount for Cost of GSA Services to \$116,000 and Direct SA Secretary to Sign Amendment.

<u>Discussion</u>: SA Secretary Donna McKendry informed the Oversight Board (OB) of the following: Currently the MOA with the County's General Services Agency (GSA) for general park maintenance and repairs for the Piru Town Square and Bank buildings is valid through June 30, 2014, but limited to \$75,000, as approved on both ROPS 13-14A & 13-14B. Deferred maintenance costs for both buildings are not covered under this MOA.

Anticipating the transfer of the Town Square to the County, GSA conducted an evaluation of the facility and provided the SA with an estimate to repair and paint the Town Square facility and gazebo. The estimated cost is \$41,447.00. No paint or structural repairs have been made since the building was completed in 2003.

SA Staff recommended adoption of Resolution No. 14-01, to approve a Second Amendment to the MOA increasing the maximum expenditures by \$41,000, to a not to exceed amount of \$116,000, and to delegate authority to the SA Secretary to prepare and sign the Second Amendment to the MOA. If approved, the increase of \$41,000 would be reflected in the ROPS 14-15A, item No. 11 on the 2-13-14 Agenda.

<u>Comments</u>: Some OB members recognized that maintenance to the Town Square buildings has been neglected and should be dealt with before a potential transfer of the asset to the County. Others expressed concerns about the SA incurring more debt with an additional \$41,000 in spending on the GSA MOA. After much discussion, Board members expressed concern that the scope of work in the current MOA and the proposal from GSA are somewhat unclear.

SA Secretary Donna McKendry clarified that the proposal does not reflect any work being done related to health and safety issues, but addresses needed maintenance that has not been done and has caused the property to be fall into disrepair.

<u>Failed Motion:</u> To adopt Resolution No. 14-01, authorizing the SA to enter into a Second Amendment to the GSA increasing the not to exceed amount for cost of GSA services to \$116,000, and directing SA Secretary to sign the amendment.

Moved by Tom Kasper, seconded by Paula Driscoll Vote: 0-5 Motion is Defeated

NO Yes. Bill Bartels, Paula Driscoll, Tom Kasper, Heather Kurpiewski, and Christy Madden

Absent: Member Carroll was absent at the time of this vote.

Chairman Bartels and OB members discussed an alternative motion to approve the contract amendment provided any work beyond the scope of services in the original MOA must be first approved by the OB.

Approved Motion.

To adopt Resolution No. 14-01, authorizing the SA to enter into a revised Second Amendment increasing the not to exceed amount for the total cost of all GSA services to \$116,000, and directing SA Secretary to sign the amendment. In addition, staff is directed to ask GSA to attend the next OB meeting to explain scope of services contemplated by submitted deferred maintenance proposal and to bring photos of items in need of such repair.

Moved by Paula Driscoll, seconded by Christy Madden Vote: 5-0 Yes: Bill Bartels, Paula Driscoll, Tom Kasper, Heather Kurpiewski, and Christy Madden

Absent: Member Carroll was absent at the time of this vote.

9. Adoption of Resolution No. 14-02 Approving the Amended Long Range Property Management Plan (LRPMP) to Include the Transfer of the Piru Town Square and Piru Storm Drain to the County of Ventura and Directing SA Staff to Submit the Amended LRPMP to the DOF

<u>Discussion:</u> Successor Agency Secretary (SA) Donna McKendry informed the Oversight Board (OB) of the following: In January, 2014, the DOF contacted SA staff resulting in their recommendation that the OB amend the LRPMP to facilitate the transfer of the Piru Storm Drain and Piru Town Square Depot for governmental purposes to the County of Ventura instead of waiting for the bonds to be paid off. The DOF confirmed that, if the transfer takes place, the SA (*not the County*) would retain responsibility for making all payments on the bonded debts related to these assets of the SA, as reflected in the OB's current ROPS, until such time as the bondholders are paid in full. County Counsel confirmed that DOF staff made this representation and that bond counsel had informed the County that the assets were not security for the bonded debts under the bond agreements.

Staff recommended adoption of Resolution No. 14-02, approving the amended LRPMP and directing SA staff to submit the Amended LRPMP to the DOF.

Moved by Paula Driscoll, seconded by Heather Kurpiewski Vote: 5-0 Yes: Bill Bartels, Paula Driscoll, Tom Kasper, Heather Kurpiewski, and Christy Madden Absent: Member Carroll was absent at the time of this vote.

10. Adoption of Resolution No. 14-03 Approving the Administrative Budget for the Time Period of July 1, 2014, through December 31, 2014.

SA Staff presented the item; there was no discussion by the OB.

<u>Motion</u>: To Adopt Resolution No. 14-03 Approving the Administrative Budget for the Time Period of July 1, 2014, through December 31, 2014.

Moved by Paul Driscoll, seconded by Tom Kasper Vote: 5-0 Yes: Bill Bartels, Paula Driscoll, Tom Kasper, Heather Kurpiewski, and Christy Madden Absent: Member Carroll was absent at the time of this vote.

11. Adoption of Resolution No. 14-04 Approving the Recognized Obligation Payment Schedules (ROPS 14-15A) for July 1, 2014 through December 31,

2014, 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, as well as Posting of Schedules to Successor Agency Internet Website.

<u>Motion:</u> To Adopt Resolution No. 14-04 Approving the Recognized Obligation Payment Schedules (ROPS 14-15A) for July 1, 2014 through December 31, 2014, 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, as well as Posting of Schedules to Successor Agency Internet Website.

Moved by Christy Madden, seconded by Tom Kasper Vote: 5-0 Yes: Bill Bartels, Paula Driscoll, Tom Kasper, Heather Kurpiewski, and Christy Madden Absent: Member Carroll was absent at the time of this vote

12. Announcements and Future Agenda Items

- A. Announcements
 - Pending Legislation

Counsel expects to bring a summary of legislative updates to the Oversight Board at its next meeting.

- B. Future Agenda Items
 - Other Administrative Issues

Next Regular Oversight Board meeting is scheduled for March 13, 2014 at 2:00 p.m.

Adjournment: The Board adjourned at 4:15 PM.

Item 5 - Attachment A

C.S.King - President PNC.ic Jazmin Gonzales Frequer PNCinc Yvonne Gonzeles - Secretary PNC inc Julliene Luso - Ways & Means PNC inc Fr. Barney Gatlin - Resident / priest George Real - resident Tippany Windsor resident /business owner At Repair Jackson resident

Item 5 - Attachment

Citizens Petition For the Depot Fountain to remain intact!

We, the undersigned would like to request that the fountain located at 658 Piru Square remain intact. We would like it to become operable at this time, or in the future when funds become available. If this is not financially feasible we would like a water feature of some kind to take its place, either now, or in the near future. We do not want the fountain to be removed and be replaced with a tree.

S 21 Phone Address Name 1. (905521-1776 3385 Market -3786 Am 1/21 2. 3 enter 805 30 Y05-521-15 ST Center ST 626-616-311 3951 805-886-1309 6 Center ST heck son 0 em 865 7 8 (80) 521-0879 De VSG WGCU iscalst. Soc 9 505-524 10 250E 521-091 11 12 521-172 781 N 13 820 N. Unter-24.3000 14 5

Petición de los ciudadanos para la Fuente Depot permanezca intacta!

Nosotros, los firmantes de esta petición le solicitamos que la fuente situada en la plaza 658 Piru permanezca intacta. Nos gustaría que la fuente este funcionando en este momento o en el futuro, cuando los fóndos estén disponibles. Si esto no es posible financieramente nos gustaría una fuente de agua de algún tipo para tomar su lugar, ya sea ahora o en un futuro. No queremos que la fuente sea retirada y reemplazada con un árbol.

Nombre Direccion Telefono -11-14-510 15 SALADDON OTYMANTS KCG Y.O. Boy. 524 9186 Sas NERV 17 845 FONIE P.O. BOX 688 48 PARK 11 13 Sin 20 63 0 21 82 22 21. =X 23 113 24 25 Wads BOX 105HA 26 BOX 805-521 79

Citizens Petition For the Depot Fountain to remain intact!

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Petición de los ciudadanos para la Fuente Depot permanezca intacta!

Nosotros, los firmantes de esta petición le solicitamos que la fuente situada en la plaza 658 Piru permanezca intacta. Nos gustaría que la fuente este funcionando en este momento o en el futuro, cuando los fondos estén disponibles. Si esto no es posible financieramente nos gustaría una fuente de agua de algún tipo para tomar su lugar, ya sea ahora o en un futuro. No queremos que la fuente sea retirada y reemplazada con un árbol.

Nombre	Direccion	Telefono
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Citizens Petition For the Depot Fountain to remain intact!

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Phone Address Name e as Fillmore 885 G18 Mous pe. I. 648 mountain View of Fillmore (FOS) 816-1735 2. 815 PAIKSt Pira 521-805 3. AMIR 805-630-7400 4. 765 MAIN St AMOS 5 ivez 1805 4 nove 805-\$N 8 la 805/ 9 293014 sno (3040 10 961 85368 7594 N. Main SI laha 11 tallo 71-133 12 5-10/00 #44 13. 14 250 0 805-217-0135

Petición de los ciudadanos para la Fuente Depot permanezca intacta!

Nosotros, los firmantes de esta petición le solicitamos que la fuente situada en la plaza 658 Piru permanezca intacta. Nos gustaría que la fuente este funcionando en este momento o en el futuro, cuando los fondos estén disponibles. Si esto no es posible financieramente nos gustaría una fuente de agua de algún tipo para tomar su lugar, ya sea ahora o en un futuro. No queremos que la fuente sea retirada y reemplazada con un árbol.

Telefono Direccion Nombre Maria Hurrado 961N. Main St. Pin (805) 368-7594 DRENDA WILLIAMS PO Box 118 Piru 93040 NEFCEDES WILLIAMS-EVANS POBOX 118 PIRIL 93040 JESSICA ARROYO BIL 2nd St Filmoke 93015 858-2269. ADDIE GROZCO PO Box 167 Piru 93040 805-587-5384 5 HRIA ESPINOZA 550 Central St APA FILLMOLIE 805-6241612 961 Hurtado 7 N. Main St. Kadrigung 4036 Camulos St. 521-8 9 amalo 4039 Camulos St. 702-994-10 11

Item 6

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

REGULAR MEETING March 13, 2014

AGENDA ITEM #6:

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

Exhibit A – February 2014 FSR

SUCCESSOR AGENCY TO THE VENTURA COUNTY (PIRU) REDEVELOPMENT AGENCY BRIADROF DIA REPORT FINANCIAL STATUS REPORT For the Period Ending February 28, 2014 - APOL

Item #6 - Exhibit A

		Notes	14-15A is estimated based on 13-14B actual Bank buildino film emisis Skate Parkt, transferred to Country so no longer applicable		County of Ventura - GSA County of Ventura - GSA County of Ventura - CEO County of Ventura - CEO County of Ventura - ACO County of Ventura - ACO County Counced County Counced Declard Oversiont Baard meditas		Town Souare Maintenance. County OSA Contrast ameniment/CD14 to unit a Strik increases to allow for additional needed maintenance of SA to correlated in an exceedboara manten.	Southern California Edition The data Schreiter The data Schreiter County of Ventura - MPD USDA Stable State Loan USDA Storme Data Loan		NOIT: Skile Park Tansferred to county; no hurther expenses incurred subsquert to ROPS 1. Count of Ventus – PVA. Countro IV Ventus – BIS. Countro IV Ventus – Ustrous TBD.				Due to the rolling nature of these costs, Fizcal Year total amounts for the Fiscal Year are the meannum Approved, not the sum of the two ADPS periods.	
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Item 7

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

REGULAR MEETING MARCH 13, 2014

AGENDA ITEM #7:

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

Item 8

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

REGULAR MEETING MARCH 13, 2014

AGENDA ITEM #8:

Review the Department of Finance Response to the Long Range Property Management Plan and Take Action as Needed Thereon.



EDMUND G, BROWN JR. • GOVERNOR 915 L STREET & SAGRAMENTO CA # 95814-3706 # WWW.DDF.CA.GOV

March 10, 2014

Ms. Donna McKendry, Management Analyst County of Ventura 800 S. Victoria Avenue, L#1940 Ventura, CA 93009

Dear Ms. McKendry:

Subject: Long-Range Property Management Plan

Pursuant to Health and Safety Code (HSC) section 34191.5 (b), the County of Ventura (Agency) submitted a Long-Range Property Management Plan (LRPMP) to the California Department of Finance (Finance) on August 9, 2013. The Agency subsequently submitted a revised LRPMP to Finance on February 14, 2014. Finance has completed its review of the LRPMP, which may have included obtaining clarification for various items.

The Agency received a Finding of Completion on April 26, 2013. Further, based on our review and application of the law, we are approving the Agency's use or disposition of all the properties listed on the LRPMP.

In accordance with HSC section 34191.4, upon receiving a Finding of Completion from Finance and approval of a LRPMP, all real property and interests in real property shall be transferred to the Community Redevelopment Property Trust Fund of the Agency, unless that property is subject to the requirements of an existing enforceable obligation. Pursuant to HSC section 34191.3 the approved LRPMP shall govern, and supersede all other provisions relating to, the disposition and use of all the real property assets of the former redevelopment agency.

Agency actions taken pursuant to a Finance approved LRPMP are subject to oversight board (OB) approval per HSC section 34181 (f). Any subsequent OB actions addressing the Agency's implementation of the approved LRPMP should be submitted to Finance for approval.

Please direct inquiries to Beliz Chappuie, Supervisor, or Susana Medina Jackson, Lead Analyst at (916) 445-1546.

Sincerely,

JUSTYN HOWARD Assistant Program Budget Manager

cc: On following page

Ms. Donna McKendry March 10, 2014 Page 2

cc:

Ms. Mary Ann Guariento, Accounting Officer, Ventura County Ms. Sandra Bickford, Chief Deputy, Ventura County Auditor-Controller Ms. Elizabeth Gonzalez, Bureau Chief, Local Government Audit Bureau, California State Controller's Office

California State Controller's Office

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

DATE: March 13, 2014

- **TO:** Oversight Board to Successor Agency
- **FROM:** Donna McKendry, CEO Management Analyst
- SUBJECT: Review and Discuss Staff Report Outlining Issues Raised During Public Comment Period at Oversight Board's February 13, 2014 Meeting Regarding Resolution No. 13-13 and Previously Authorized Replacement of the Water Fountain at the Piru Town Square Depot; Take Action as Needed Thereon

DISCUSSION:

The Piru Town Square Depot ("Town Square") is located on a seven acre parcel at 664 Piru Square (formerly 3977 East Center Street), Piru, CA 93040. It contains 1,002 square feet of building space, including restrooms, maintenance room, multi-purpose room, gazebo, children's playground and a water fountain where children often play.

Because the water fountain is a magnet for children when it has water in it, the water fountain is typically turned off throughout the year. The water fountain is only turned on for special events, facility rentals or film shoots. Those who rent the facility are charged a fee to have the fountain operating.

GSA has determined that damage occurs when children play in and around the fountain. The fountain is not strong enough to withstand the stress of children wading in and jumping up and down inside of it. There is concern about the integrity and function of the structure, cost of maintenance and repairs and the possibility that it is an attractive nuisance.

At your September 12, 2013 Oversight Board (OB) meeting, your board adopted Resolution No. 13-09 (Exhibit A) authorizing the SA to request a risk analysis of the water fountain and directed Successor Agency (SA) staff to report back to your Board with recommendations based upon the analysis. SA staff thereafter met with GSA staff, County of Ventura Risk Assessment (RA) staff and the Piru Neighborhood Council

Oversight Board March 13, 2014 Page 2 of 4

(PNC) President, C. King, regarding the water fountain. As a result, four options listed below were presented to your Board on November 14, 2014.

- 1. Remove the water fountain and plant one 24" box tree with irrigation and bark in place of the fountain.
- 2. Remove the water fountain and replace with concrete.
- 3. Remove the water fountain and construct a "splash pad."
- 4. Take no action.

RA staff provided the following risk assessment for the four options outlined above:

- 1. Options 1, 2 and 4 are very low risk. The current water fountain, regardless of whether it has water, is not considered a dangerous condition because of its reasonable function and use and because it does not create a unique environment.
- 2. Unlike the other options, Option 3's "splash pad" poses a moderate level of risk. This is because of its wet and slippery surface and a lack of on-site supervision. It is also more complicated and expensive to maintain. Moreover, because the splash pad would be located in a remote area of the County, any maintenance failure could create a risk of liability because of the time and distance required to respond to any water failures.
- 3. The estimated cost to defend a liability claim for a "splash pad" facility is approximately \$50,000 to \$150,000.

At your November 14, 2013 OB meeting, your board adopted Resolution No. 13-13 (Exhibit B), selecting Option 1, above, and authorizing the SA to work with GSA to replace the water fountain at the Piru Town Square Depot with a tree and irrigation system. At your February 13, 2014 OB meeting, members of the PNC and residents of Piru spoke during the Public Comment period and expressed their desire to preserve the Piru Town Square Depot water fountain "as is"; the speakers each asked the OB to not plant a tree as its replacement. PNC President C. King also presented the OB with a petition signed by 67 Piru resident voicing their support for preservation of the water fountain and requesting the SA to make it operable. Copies of a list of meeting attendees and the petition containing all of the names are attached as Exhibits C and D.

After your Board listened to these public comments, Chair Bartels informed the residents that no action could be taken at that meeting, but directed SA Staff to prepare a report and agendize the matter for the OB's consideration at today's OB meeting.

Oversight Board March 13, 2014 Page 3 of 4

FISCAL IMPACT:

The options and fiscal impacts that SA staff understands to be before your Board at this time are as follows:

1. Leave Resolution No. 13-13 (Exhibit B) in place, directing staff to remove the water fountain and plant one 24" box tree with irrigation and bark in place of the fountain.

Estimated cost of currently approved action: \$2,604 with minimal annual maintenance and water costs. Liability Risk: Very low

2. Adopt a new resolution vacating Resolution No. 13-13 and directing staff to take no (or some alternative) action.

<u>Estimated cost of no action</u>: ongoing maintenance and repair costs to keep the fountain functional. Cost conditioned upon the amount of use and damage or liability resulting from continued misuse of the fountain. <u>Liability Risk</u>: Very low

STAFF RECOMMENDATION:

Based on the comments from the PNC and Piru residents, staff recommends that your Board discuss the following options and issues, and then direct SA staff regarding any action to be taken with respect to the water fountain:

- 1. Consider the option of leaving the water fountain in place and the associated costs to repair and maintain the fountain.
- 2. Consider the liability involved in retaining the water fountain.
- 3. Consider the frequency and parameters of filling the fountain with water (e.g., fountain should only been filled pursuant to permits, with permittees required to sign appropriate indemnification agreements).
- 4. Consider the PNC's request to allow them to maintain the fountain with volunteers (this may raise additional liability and workers compensation issues).
- 5. Consider taking no new action (Resolution No. 13-13 would remain in effect) and direct SA staff to work with GSA to replace the water fountain with a tree and irrigation.
- 6. Consider vacating Resolution No. 13-13, leaving the water fountain in place and direct SA staff to take action as needed thereon.

Oversight Board March 13, 2014 Page 4 of 4

4

Exhibit A – Resolution No. 13-09 - Water Fountain Risk Analysis Exhibit B – Resolution No. 13-13 - Water Fountain Option Exhibit C – PNC Attendance List Exhibit D – Piru Petition

RESOLUTION NO. 14-05

1.00

RESOLUTION OF THE OVERSIGHT BOARD FOR THE SUCCESSOR AGENCY TO THE FORMER REDEVELOPMENT AGENCY OF THE COUNTY OF VENTURA, STATE OF CALIFORNIA, VACATING RESOLUTION NO. 13-13 REGARDING THE WATER FOUNTAIN AT THE PIRU TOWN SQUARE DEPOT AND DIRECTING SA STAFF TO WORK WITH THE COUNTY OF VENTURA'S GENERAL SERVICES AGENCY (GSA) TO RETAIN THE WATER FOUNTAIN AND TREAT IT WITH ANTI-GRAFITTI COATING

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

WHEREAS, Assembly Bill x1 26 ("ABx1 26") was passed by the State Legislature on June 15, 2011, and signed by the Governor on June 28, 2011, and AB 1484 was approved by Governor, effective June 27, 2012; and

WHEREAS, among other things, ABx1 26 adds and AB 1484 amends Part 1.85 to the California Health and Safety Code, including Health and Safety Code section 34170 et seq.; and

WHEREAS, by enactment of Part 1.85 of Division 24 of the Health and Safety Code, The Redevelopment Agency of the County of Ventura was dissolved as of February 1, 2012 such that the Successor Agency to The Redevelopment Agency of the County of Ventura ("SA") shall be designated as successor entity to the former redevelopment agency under Health and Safety Code Section 34173(a); and

WHEREAS, the Piru Town Square Depot is located on a seven acre parcel at 664 Piru Square (formerly 3977 East Center Street), Piru, CA 93040, and it contains 1,002 square feet of building space, including restrooms, maintenance room, multi-purpose room, gazebo, children's playground and a water fountain; and

WHEREAS, there were questions regarding the current integrity and function of the water fountain, the cost of maintenance and repairs, and the possibility that it is an attractive nuisance; and

WHEREAS, on September 12, 2013, the OB adopted Resolution No. 13-09 (Exhibit A) authorizing the SA to request a risk analysis of the water fountain at the Piru Town Square Depot and directed SA staff to report back to the OB with recommendations based upon the analysis; and

WHEREAS, SA staff met with General Services Agency (GSA) staff and County of Ventura Risk Assessment staff regarding the water fountain; and

WHEREAS, on October 25, 2013, SA staff met with the Piru Neighborhood Council (PNC) President regarding the water fountain; and

WHEREAS, from these meetings, four options (outlined below) were assessed regarding risk level, as well as installation and maintenance costs:

- 1. Remove the water fountain and plant one 24" box tree, with irrigation and bark. (Estimated cost: \$2,604.00; low risk of liability claims); or
- 2. Remove the water fountain and replace with concrete. (Estimated cost: \$6,272.00; low risk of liability claims); or
- 3. Remove the water fountain and construct a water "splash pad" feature. (Estimated cost: \$60,000.00 \$130,000.00; increased (moderate) risk of exposure to claims, over risk of current and alternative situations); or
- 4. Take no action at this time. (Estimated cost: current cost for ongoing maintenance and repair; minimal, but some degree of risk of claims due to potential for structure failure); and

WHEREAS, on November 13, 2013, the OB adopted Resolution No. 13-13 (Exhibit B) authorizing the SA to work with GSA to remove the water fountain and plant a tree with irrigation and bark; and

WHEREAS, on February 13, 2014, the residents of Piru provided testimony and a petition (Exhibits C and D) at the OB meeting, during public comments, requesting the OB vacate their decision to remove the water fountain and, instead, asked the OB to direct staff to leave the fountain in place and, when funds are available, repair the fountain;

WHEREAS, at its March 13, 2014, meeting, the OB met and discussed the issues related to the fountain and heard testimony from Piru representatives and residents as well as SA and GSA staff and, upon further deliberation determined that the OB should vacate its prior Resolution No. 13-13 and authorize and direct SA and GSA staff to leave the fountain in place but to apply an anti-graffiti coating to prevent damage to the fountain.

NOW, THEREFORE, BE IT FOUND AND RESOLVED AS FOLLOWS:

- 1. The above recitations are true and correct.
- 2. Resolution No. 13-13 is hereby vacated.
- 3. The OB hereby authorizes and directs SA Staff to have GSA staff apply an anti-graffiti coating to the fountain and complete the work at a not to exceed amount of \$1,800, within the previously approved budget for and terms of the GSA Memorandum of Agreement, as previously amended.

PASSED, APPROVED AND ADOPTED by the Oversight Board, on a motion by Board Member Paula Driscoll seconded by Member Christy Madden this 13th day of March 2014.

Oversight Board

ATTEST:

Bv:

RESOLUTION NO. 13-09

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 (SA) TO SUBMIT A REQUEST FOR RISK ANALYSIS OF THE WATER FOUNTAIN AT THE PIRU TOWN SQUARE DEPOT AND DIRECT SA STAFF TO REPORT BACK TO THE OVERSIGHT BOARD WITH RECOMMENDATIONS BASED UPON THE ANALYSIS.

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

WHEREAS, Assembly Bill x1 26 ("ABx1 26") was passed by the State Legislature on June 15, 2011 and signed by the Governor on June 28, 2011, and AB 1484 was approved by Governor, effective June 27, 2012; and

WHEREAS, among other things, ABx1 26 adds and AB 1484 amends Part 1.85 to the California Health and Safety Code, including Health and Safety Code section 34170 et seq.; and

WHEREAS, by enactment of Part 1.85 of Division 24 of the Health and Safety Code, The Redevelopment Agency of the County of Ventura was dissolved as of February 1, 2012 such that the Successor Agency to The Redevelopment Agency of the County of Ventura ("Successor Agency") shall be designated as successor entity to the former redevelopment agency under Health and Safety Code Section 34173(a); and

WHEREAS, the Piru Town Square Depot is located on a seven acre parcel at 664 Piru Square (formerly 3977 East Center Street), Piru, CA 93040 and it contains 1,002 square feet of building space, including restrooms, maintenance room, multi-purpose room, gazebo, children's playground and a water fountain (Exhibit A); and

WHEREAS, there are questions regarding the current integrity and function of the water fountain, the cost of maintenance and repairs and whether it is an attractive nuisance; and

WHEREAS, the Successor Agency wishes to request a risk analysis of the water fountain and provide recommendations and feedback regarding its future use.

NOW, THEREFORE BE IT FOUND AND RESOLVED AS FOLLOWS:

- 1. The above recitations are true and correct.
- 2. Requesting the assistance of GSA is hereby approved.
- 3. The Oversight Board requests the Successor Agency's Secretary to report back to the Oversight Board upon completion of the analysis.

PASSED, APPROVED AND ADOPTED by the Oversight Board, on a motion by Board Member Heather Kurpicuski, seconded by Member <u>Matt Carroll</u>, this <u>17</u>th day of <u>September</u> 2013.

By:

ATTEST:

Chair David Keebler-Actingchair Oversight Board

By: Successor Agency Secretary

RESOLUTION NO. 13-13

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 (SA) TO IMPLEMENT THE OVERSIGHT BOARD (OB) RECOMMENDATION REGARDING THE WATER FOUNTAIN AT THE PIRU TOWN SQUARE DEPOT AND DIRECT SA STAFF TO WORK WITH THE COUNTY OF VENTURA'S GENERAL SERVICES AGENCY (GSA) TO COMPLETE THE WORK AND NOT TO EXCEED THE ESTIMATED COST.

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

WHEREAS, Assembly Bill x1 26 ("ABx1 26") was passed by the State Legislature on June 15, 2011, and signed by the Governor on June 28, 2011, and AB 1484 was approved by Governor, effective June 27, 2012; and

WHEREAS, among other things, ABx1 26 adds and AB 1484 amends Part 1.85 to the California Health and Safety Code, including Health and Safety Code section 34170 et seq.; and

WHEREAS, by enactment of Part 1.85 of Division 24 of the Health and Safety Code, The Redevelopment Agency of the County of Ventura was dissolved as of February 1, 2012 such that the Successor Agency to The Redevelopment Agency of the County of Ventura ("SA") shall be designated as successor entity to the former redevelopment agency under Health and Safety Code Section 34173(a); and

WHEREAS, the Piru Town Square Depot is located on a seven acre parcel at 664 Piru Square (formerly 3977 East Center Street), Piru, CA 93040, and it contains 1,002 square feet of building space, including restrooms, maintenance room, multi-purpose room, gazebo, children's playground and a water fountain; and

WHEREAS, there are questions regarding the current integrity and function of the water fountain, the cost of maintenance and repairs, and the possibility that it is an attractive nuisance; and

WHEREAS, on September 12, 2013, the OB adopted Resolution No. 13-09 authorizing the SA to request a risk analysis of the water fountain at the Piru Town Square Depot and directed SA staff to report back to the OB with recommendations based upon the analysis; and

WHEREAS, SA staff met with General Services Agency (GSA) staff and County of Ventura Risk Assessment staff regarding the water fountain; and

WHEREAS, on October 25, 2013, SA staff met with the Piru Neighborhood Council (PNC) President regarding the water fountain; and

WHEREAS, from these meetings, four options (outlined below) were assessed regarding risk level, as well as installation and maintenance costs:

Resolution No. 13-13 Page 2 of 2

- 1. Remove the water fountain and plant one 24" box tree, with irrigation and bark. (Estimated cost: \$2,604.00; low risk of liability claims); or
- 2. Remove the water fountain and replace with concrete. (Estimated cost: \$6,272.00; low risk of liability claims); or
- Remove the water fountain and construct a water "splash pad" feature. (Estimated cost: \$60,000.00 - \$130,000.00; increased (moderate) risk of exposure to claims, over risk of current and alternative situations); or
- 4. Take no action at this time. (Estimated cost: current cost for ongoing maintenance and repair; minimal, but some degree of risk of claims due to potential for structure failure).

NOW, THEREFORE BE IT FOUND AND RESOLVED AS FOLLOWS

- 1. The above recitations are true and correct.
- 2. The OB selects and approves Option # _____AbovEn regards to the Piru Town Square water fountain.
- 3. The OB directs SA Staff to work with the County of Ventura's GSA to complete the work and not to exceed the estimated cost set forth above.

PASSED, APPROVED AND ADOPTED by the Oversight Board, on a motion by Board Member <u>Bill Bartels</u>, seconded by Member <u>Matt Carroll</u>, this <u>14</u> day of <u>November</u> 2013.

By: U Chair

Oversight Board

ATTEST:



* The tree option is selected as being covered within the terms of, and budgeted a mount-for, the SA's current contract with the County's General Services Agency, which contract and corresponding budgeted amount has been approved by the Department of Finance for inclusion IN ROPS 13-14A + 13-14B.

Item 9 - Exhibit C

C.S.King - President PNC. ic Jazmin Gonzales Frequer PNCinc Yvonne Gonzeles - Secretary PNCine Julliene Luso - Ways & Means PNCine Fr. Barnay Gattin - Resident / priest George Real - resident Tippany Windsor resident /business ownes Atkende Jackson resident

Item 9 - Exhibit

Citizens Petition For the Depot Fountain to remain intact!

We, the undersigned would like to request that the fountain located at 658 Piru Square remain intact. We would like it to become operable at this time, or in the future when funds become available. If this is not financially feasible we would like a water feature of some kind to take its place, either now, or in the near future. We do not want the fountain to be removed and be replaced with a tree.

Phone Address Name 1. (805521-1776 3385 Market 3786 2. 3 3950 805 391 805-ST (21-12 51 A Center ST 626-616-3113 3951 605-886-1309 Center ST 6 Jack oon opper 865 7 8 (801) 521-0879 348 Sacraci ascalst. 800 9 505-524 10 250E 521-091 11 12 521-1724 281 Ma 13 820 N. Unter-24:3000 5 14

Petición de los ciudadanos para la Fuente Depot permanezca intacta!

Nosotros, los firmantes de esta petición le solicitamos que la fuente situada en la plaza 658 Piru permanezca intacta. Nos gustaría que la fuente este funcionando en este momento o en el futuro, cuando los fóndos estén disponibles. Si esto no es posible financieramente nos gustaría una fuente de agua de algún tipo para tomar su lugar, ya sea ahora o en un futuro. No queremos que la fuente sea retirada y reemplazada con un árbol.

Nombre Direccion Telefono SALADON 15 4074 MATS 524 Y.O. Boy. 9186 gas 17 BOX 688 845 AND P.O. Lilo hu 2485: 80183 SIA 20 63 21 82 22 18 23 113 24 25 BOX Wade DYHA 26 Box 805-521 779 9

Citizens Petition For the Depot Fountain to remain intact!

We, the undersigned would like to request that the fountain located at 658 Piru Square remain intact. We would like it to become operable at this time, or in the future when funds become available. If this is not financially feasible we would like a water feature of some kind to take its place, either now, or in the near future. We do not want the fountain to be removed and be replaced with a tree.

Phone Address Name 521.13 1. Frances 12010 643 Church St P-0, Box 688 RAMILEZ 570 Opchano St. -570 orchard st. mire7 1074 Emarket st tado 747 Orchards TEUNIE ALVARY 6 RACAD. ORCHADd 747 51 в 12 3210 G -5640 Tempscal St -Manzano 10 94-8796 11 0 12 13 14
Petición de los ciudadanos para la Fuente Depot permanezca intacta!

Nosotros, los firmantes de esta petición le solicitamos que la fuente situada en la plaza 658 Piru permanezca intacta. Nos gustaría que la fuente este funcionando en este momento o en el futuro, cuando los fondos estén disponibles. Si esto no es posible financieramente nos gustaría una fuente de agua de algún tipo para tomar su lugar, ya sea ahora o en un futuro. No queremos que la fuente sea retirada y reemplazada con un árbol.

Nombre	Direccion	Telefono	
Marie Caroly	n Jimenez Pir	inst inst ingt 521-1114	02 625.1273
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Citizens Petition For the Depot Fountain to remain intact!

We, the undersigned would like to request that the fountain located at 658 Piru Square remain intact. We would like it to become operable at this time, or in the future when funds become available. If this is not financially feasible we would like a water feature of some kind to take its place, either now, or in the near future. We do not want the fountain to be removed and be replaced with a tree.

Phone Address Name 885 es Filmore C18 Mou 00 1. 64,5 monutain View st Fillmore (FOS) 816-1735 2. 815 PAIKSt Pira 521-1867 805 3. hIR 805-630-7400 Ч. 765 MAIN ST 5. H NOZ. 805 8031 la 9. 93015 4 unone (10 961 8051 ana 368 7594 N Main St. 11 21-13 12. :43 Etela 143 13. 14 TODA 805-217-0135

Petición de los ciudadanos para la Fuente Depot permanezca intacta!

Nosotros, los firmantes de esta petición le solicitamos que la fuente situada en la plaza 658 Piru permanezca intacta. Nos gustaría que la fuente este funcionando en este momento o en el futuro, cuando los fondos estén disponibles. Si esto no es posible financieramente nos gustaría una fuente de agua de algún tipo para tomar su lugar, ya sea ahora o en un futuro. No queremos que la fuente sea retirada y reemplazada con un árbol.

Telefono Direccion Nombre Maria Hurado 961N. Main St. Pin (805) 368-9594 DRENDA WILLIAMS PO Box 118 Piru 93040 REACEDES WILLIAMS-EVANS PO BOX 118 PIRU 93040 JESSICA ARROYO BIL 2nd St Filmokie 93015 866-2269. ADDIE GROZCO PO. Box 167 Piru 93040 805-587 5 DARIA ESPINOZA 550 Central St APA FILLMOLIE 805-6241612 961 N. Main St. Hurtado 7 Kalugun 4036 Camulos St. 521-8 9 iQue amalos 10 702 -994-872 4039 Camulos St. 11

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Item 10

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

REGULAR MEETING March 13, 2014

AGENDA ITEM #10:

General Services Agency (GSA) Presentation Regarding the Scope of Services for Deferred Maintenance Work Recommended at the Piru Town Square as Adopted by Resolution 14-01 on February 13, 2014 Approving the Revised Second Amendment to the GSA Services Contract; Discuss Maintenance Priorities and Take Action as Needed Thereon.

RESOLUTION NO. 14-06

RESOLUTION OF THE OVERSIGHT BOARD FOR THE SUCCESSOR AGENCY TO THE FORMER REDEVELOPMENT AGENCY OF THE COUNTY OF VENTURA, STATE OF CALIFORNIA, AUTHORIZING THE COUNTY OF VENTURA GENERAL SERVICES AGENCY TO PERFORM DEFERRED MAINTENANCE WORK ON THE PIRU TOWN SQUARE FACILITY AND DIRECTING SUCCESSOR AGENCY SECRETARY TO REVIEW AND APPROVE WORK ORDERS AND INVOICES FOR SAID WORK

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

WHEREAS, Assembly Bill x1 26 ("ABx1 26") was passed by the State Legislature on June 15, 2011 and signed by the Governor on June 28, 2011, and AB 1484 was approved by Governor, effective June 27, 2012; and

WHEREAS, among other things, ABx1 26 adds and AB 1484 amends Part 1.85 to the California Health and Safety Code, including Health and Safety Code section 34170 et seq.; and

WHEREAS, by enactment of Part 1.85 of Division 24 of the Health and Safety Code, The Redevelopment Agency of the County of Ventura was dissolved as of February 1, 2012, and the County of Ventura became the Successor Agency to The Redevelopment Agency of the County of Ventura ("SA") and is designated as the successor entity to the former redevelopment agency under Health and Safety Code Section 34173(a); and

WHEREAS, pursuant to Health and Safety Code Section 34178, certain agreements, contracts, or arrangements between the county that created the redevelopment agency and the redevelopment agency are invalid and shall not be binding on the SA; and

WHEREAS, pursuant to Health and Safety Code Section 34178, a SA wishing to enter or reenter into agreements with the county that formed the redevelopment agency that it is succeeding may do so upon obtaining the approval of its OB; and

WHEREAS, the OB authorized the SA to enter into a memorandum of agreement ("MOA") between the County of Ventura and the SA for general maintenance and repair work at the Piru Town Square Park and Piru Bank Building, which was executed on or about May 21, 2013 (Exhibit A); and

WHEREAS, the OB authorized the SA to enter into a first amendment to the MOA between the County of Ventura and the SA to include calculated labor rates for the GSA Parks Department in the Agreement's Services Reimbursement Rate and Methodology, which was executed on or about September 17, 2013 (Exhibit B); and

WHEREAS, the OB authorized Resolution No. 14-01 (Exhibit C), authorizing GSA to enter into a second amendment to the MOA ("Second Amendment") to increase the cost of GSA services by \$41,000 pursuant to the GSA cost estimate (Exhibit D) with a not to exceed amount of \$116,000 and a condition that GSA first provide detailed information and pictures reflecting the work that needs to be done and,

in addition, to seek prior OB approval for all work exceeding the original (now, former) \$75,000 budget for the current fiscal year; and

WHEREAS, on March 13, 2014, GSA provided the OB with a detailed explanation of the needed work, including photographs (Exhibit E) and testimony from the director of GSA Parks, regarding the immediate need for previously deferred maintenance work to be done as soon as feasible due to severe deterioration of the property and structures at issue; and

WHEREAS, on March 13, 2014, the OB considered such evidence and testimony from representatives and residents of Piru confirming the immediate need for such work to be done, and then determined that all such maintenance work should be done as soon as possible.

NOW, THEREFORE, BE IT FOUND AND RESOLVED AS FOLLOWS:

- 1. The above recitations are true and correct.
- 2. GSA's request to perform the above-described maintenance work, pursuant to the Second Amendment to the MOA, as previously amended and conditioned, is hereby approved provided such work does not exceed the full amount authorized therein.
- 3. The OB hereby directs the Successor Agency's Secretary to review and approve the work orders and invoices for such maintenance, while ensuring that the amount expended for such work (and all other work authorized by the MOA) does not exceed the GSA MOA's fiscal-year budget.
- PASSED, APPROVED AND ADOPTED by the Oversight Board, on a motion by Board Member Christy Madden, seconded by Member Matt Carroll, this 13th day of March 2014.

Chair Oversight Board

By: Demodleliendry Successor Agency Secretary

ATTEST:

Item #10 - Exhibit A

This agreement is made by and between the County of Ventura ("County") and the Successor Agency to the Former Redevelopment Agency of the County of Ventura ("SA"), and is entered into effective July 1, 2013, with respect to the following:

WHEREAS, the SA has been and is in need of County's staff services in connection with maintenance and upkeep of the Piru Town Square and the Piru Bank Building; and

WHEREAS, the County has been and is currently providing those services to the SA, and the SA desires to continue to receive those services from the County; and

WHEREAS, the County is authorized, pursuant to ABx1 26 (2011) and previously approved administrative budgets of the SA, to provide staff services to the SA at an estimated cost not to exceed \$75,000 through fiscal year 2013-14;

NOW THEREFORE, to accomplish these objectives, County and SA enter into this memorandum of agreement regarding continuing services ("Agreement"), as follows:

- 1. **Term of Agreement.** The Agreement shall cover the period of time from and including July 1, 2013, and to and including June 30, 2014.
- 2. Scope of Services. The County of Ventura, through its General Services Agency (GSA), shall provide services, including daily custodial service in the park, landscape maintenance, restroom janitorial duties, facility repairs and general oversight, for and on behalf of the SA, relating to the upkeep and operation of the Piru Town Square at 664 Piru Square (formerly 3977 Center Street) and the Piru Bank Building at 3940 East Center Street, which are located in the unincorporated area of the County, in the community of Piru: GSA shall also handle all facility use agreements and film permits for the Piru Town Square and the Piru Bank Building for public, private and film industry use on behalf of the SA. Revenues collected by GSA on behalf of the SA for facility use and film permits shall be remitted to the SA.
- Additional Services. SA may request additional services beyond the Scope of Services in Section 2. Agreement for provision and reimbursement of such additional services is required by both parties.
- 4. Services Reimbursement Rate and Methodology. Custodial, landscape maintenance, janitorial duties, facility repairs and general oversight services and related costs incurred shall be billed at Board of Supervisors approved contract service rates effective for the fiscal year 2013-14 term. Services and related costs of staff support and expenses related to the terms within GSA film permits and facility use agreements for the Town Square Park and Bank Building facilities shall be billed using the applicable GSA fee schedules associated with processing film permits, facility reservations and associated administrative costs. All services are in an amount estimated not to exceed \$75,000, and charged to the SA at a frequency no less than on a quarterly basis, or as may be agreed in writing by the parties.
- 5. Independent Contractor. County shall perform this Agreement as an independent contractor. County and the officers, agents and employees of County are not, and shall not be deemed, SA employees for any purpose, including workers' compensation, and shall not be entitled to any of the benefits accorded to SA employees, if any.
- 6. **Indemnification.** SA shall defend, indemnify, and hold harmless the County, as well as its respective officers, agents, and employees who perform any services or duties under this Agreement, from any claim, loss, or liability including without limitation, those for personal injury

MEMORANDUM OF AGREEMENT REGARDING CONTINUING SERVCES BETWEEN THE COUNTY OF VENTURA AND THE SUCCESSOR AGENCY TO THE FORMER REDEVELOPMENT AGENCY OF THE COUNTY OF VENTURA FOR ONGOING PIRU TOWN SQUARE AND BANK BUILDING GENERAL SERVICES

(including death) or damage to property, arising out of or connected with any aspect of the performance by the County or its officers, agents, or employees, of services under this Agreement.

- 7. **Amendment.** This Agreement may only be modified or amended in writing and with the prior written consent of both parties.
- 8. **Severability.** If any provision of this Agreement, or any portion thereof, is found by any court of competent jurisdiction to be unenforceable or invalid for any reason, such provision shall be severable and shall not in any way impair the enforceability of any other provision of this Agreement.
- 9. **Venue.** The venue for any legal action filed by either party in State court to enforce any provision of this Agreement shall be in the Superior Court of Ventura County, California.
- 10. **Entirety of Contract.** This Agreement constitutes the entire agreement between the parties relating to the specific subject of this Agreement and supersedes all previous agreements, promises, representations, understanding and negotiation, whether written or oral, among the parties with respect to the subject matter hereof.

IN WITNESS WHEREOF, this Agreement was executed by the parties hereto as of the date last signed.

COUNTY OF VENTURA, a political Subdivision of the State of California

Dated: 5/21/13

Steve Morgan

Chief Deputy Director General Services Agency

SUCCESSOR AGENCY TO THE FORMER REDEVELOPMENT AGENCY OF THE COUNTY OF VENTURA

Dated: 5/21/13

By: Donna McKendry

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

FIRST AMENDMENT TO MEMORANDUM OF AGREEMENT REGARDING CONTINUING SERVCES BETWEEN THE COUNTY OF VENTURA AND THE SUCCESSOR AGENCY TO THE FORMER REDEVELOPMENT AGENCY OF THE COUNTY OF VENTURA FOR ONGOING PIRU TOWN SQUARE AND BANK BUILDING GENERAL SERVICES

This is the First Amendment to a Memorandum of Agreement made by and between the County of Ventura ("County") and the Successor Agency to the Former Redevelopment Agency of the County of Ventura ("SA"), which parties made effective July 1, 2013.

RECITALS

WHEREAS, the County entered into a memorandum of agreement ("Agreement") with the SA effective July 1, 2013 to provide services, including daily custodial service in the park, landscape maintenance, restroom janitorial duties, facility repairs and general oversight, for and on behalf of the SA, relating to the upkeep and operation of the Piru Town Square and the Piru Bank Building, which are located in the unincorporated area of the County, in the community of Piru. The County's General Services Agency (GSA) shall also handle all facility use agreements and film permits for the Piru Town Square and the Piru Bank Building for public, private and film industry use on behalf of the SA; and

WHEREAS, the term of the Agreement covers the period of time from and including July 1, 2013 and to and including June 30, 2014; and

WHEREAS, the County is authorized, pursuant to ABx1 26 (2011) and previously approved administrative budgets of the SA, to provide staff services to the SA at an estimated cost not to exceed \$75,000 through fiscal year 2013-14;

WHEREAS, this Agreement may only be modified or amended in writing and with the prior written consent of both Parties; and

WHEREAS, the Parties now wish to modify the Agreement's Services Reimbursement Rate and Methodology to include the County's calculated labor rates for GSA Parks Department for FY 2013-14 using a methodology consistent with the labor rate development for other GSA budget units (Exhibit 1 hereto). Any work performed by GSA Parks Department staff on behalf of the SA will be in accordance with the rates set forth in Exhibit 1.

NOW THEREFORE, based upon the above stated recitals of fact and on the following terms and conditions the parties agree as follows:

- 1. The Agreement is hereby amended to include the GSA Parks Department rates, as set forth in Exhibit 1.
- 2. Except as modified hereby, all other terms and conditions of the Parties' prior Agreement, dated July 1, 2013, shall remain in full force and effect.

IN WITNESS WHEREOF, this Amendment is executed by the Parties hereto as of the date last signed and made effective July 1, 2013.

FIRST AMENDMENT TO MEMORANDUM OF AGREEMENT REGARDING CONTINUING SERVCES BETWEEN THE COUNTY OF VENTURA AND THE SUCCESSOR AGENCY TO THE FORMER REDEVELOPMENT AGENCY OF THE COUNTY OF VENTURA FOR ONGOING PIRU TOWN SQUARE AND BANK BUILDING GENERAL SERVICES

Dated: 9

COUNTY OF VENTURA, a political Subdivision of the State of California

By: Paul S. Grossgold

Director General Services Agency

SUCCESSOR AGENCY TO THE FORMER REDEVELOPMENT AGENCY OF THE COUNTY OF VENTURA

Dated: 9/17/13

By: Donna McKendry

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

Item #10 - Exhibit B Exhibit 1

GENERAL SERVICES AGENCY PARKS DEPARTMENT FISCAL YEAR 2013-2014 BUDGET DEVELOPMENT SCHEDULES LABOR RATES

Accl #	DESCRIPTION COUNT			Modinie Worl			ilenance prker II 3		nlanance orker III 2		ntencence orker IV	Publi Warks N Wark Sper	haini ar	MW Total 9		k Services longer i 2		c Seivices anger II 2	Ranger Total 4	_	GRAND 10TAL 13
	DIRECT LABOR			5	51,588	\$	162,898	5	137.922	\$	74,436	5 80	232	\$497,078	\$	133,061	\$	151,216	\$284,277	Ş	781,352
23438 5159 5197	INDIRECT LABOR Depury Director Gen Svos Agy Monogemen' Asibitani III Statifiserices Manageri I Parks Operations Supprviso' Maintenance Supprviso' TOTAL INDIRECT LABOR		172,369 35,850 126,429 87,900 85,176 507,724	5	26,518 \$5,515 19,451 18,928 70,412	\$	\$39,777 \$8,273 \$29,176 28,392 105,418	\$	\$28,518 \$5,515 \$19 451 18,928 70,412	\$	\$13,259 \$2,758 \$9,725 9,464 35,206	\$ 9	259 758 725 ,464 ,206	\$119.332 \$24,819 \$87,528 \$0 \$85,176 \$314,855	3	\$26.518 \$5,515 \$19,451 43,950 95,434	\$	\$26,518 \$5,515 \$19,451 43,950 95,434	\$53,037 \$11,031 \$38,901 \$87,900 \$0 \$190,849	5 5 5 5 5 5	35,850 126,429 87,900 85,176
	LABOR SUBTOTAL	ş	507,724	Ş I.	22,000	\$	258,516	\$	208,334	\$	109.642	Ş 115	438	\$813,931	\$	228,495	\$	246,650	\$475,145	\$	1,289,076
1105 1107	S & E8 ADJUSTMENTS: Overilme Vacation Buydowar Ben TOTAL S & E8 TOTAL S & E8	5	10. 204 04 215 46,682 554,406	\$ \$ \$ \$ 1	2,831 4,350 7,182 29,182	\$ 5 5	4,247 6,526 10,773 269,289	5 IS	2,831 4,350 7,192 215,516	\$	1,416 2,175 3,591 113,233	\$ 2	-	\$12,741 \$19,577 \$32,318 \$844,250	\$ 5	2,831 4,350 7,182 235,677	\$ \$ \$	2,831 4,350 7,182 253,832	\$5 663 \$8,701 \$ 14,344 \$ 489,509	\$ \$	
	SERVICES & SUPPLIES INDIRECT COST:	IND	COSTS																		
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8/29/2013 9:23 AM

1011

RESOLUTION NO. 14-01

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 A SECOND AMENDMENT TO THE MEMORANDUM OF AGREEMENT BETWEEN THE COUNTY OF VENTURA GENERAL SERVICES AGENCY AND SUCCESSOR AGENCY TO INCREASE THE NOT TO EXCEED AMOUNT FOR COST OF GSA SERVICES TO \$116,000 AND DIRECT SUCCESSOR AGENCY SECRETARY TO SIGN AMENDMENT

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

WHEREAS, Assembly Bill x1 26 ("ABx1 26") was passed by the State Legislature on June 15, 2011 and signed by the Governor on June 28, 2011, and AB 1484 was approved by Governor, effective June 27, 2012; and

WHEREAS, among other things, ABx1 26 adds and AB 1484 amends Part 1.85 to the California Health and Safety Code, including Health and Safety Code section 34170 et seq.; and

WHEREAS, by enactment of Part 1.85 of Division 24 of the Health and Safety Code, The Redevelopment Agency of the County of Ventura was dissolved as of February 1, 2012 such that the Successor Agency to The Redevelopment Agency of the County of Ventura ("Successor Agency") shall be designated as successor entity to the former redevelopment agency under Health and Safety Code Section 34173(a); and

WHEREAS, pursuant to Health and Safety Code Section 34178, certain agreements, contracts, or arrangements between the county that created the redevelopment agency and the redevelopment agency are invalid and shall not be binding on the successor agency; and

WHEREAS, pursuant to Health and Safety Code Section 34178, a successor agency wishing to enter or reenter into agreements with the county that formed the redevelopment agency that it is succeeding may do so upon obtaining the approval of its oversight board: and

WHEREAS, the Oversight Board authorized the Successor Agency to enter into a memorandum of agreement ("MOA") between the County of Ventura and the Successor Agency for general maintenance and repair work at the Piru Town Square Park and Piru Bank Building, which was executed on or about May 21, 2013 (Exhibit A); and

WHEREAS, the Oversight Board authorized the Successor Agency to enter into a first amendment to the MOA between the County of Ventura and the Successor Agency to include calculated labor rates for the GSA Parks Department in the Agreement's Services Reimbursement Rate and Methodology, which was executed on or about July 1, 2013 (Exhibit B); and WHEREAS, the Successor Agency wishes to enter into a second amendment to the MOA ("Second Amendment") to increase the cost of GSA services by \$41,000 to a not to exceed amount of \$116,000 (Exhibit D).

NOW, THEREFORE BE IT FOUND AND RESOLVED AS FOLLOWS:

- 1. The above recitations are true and correct.
- 2. The Second Amendment is hereby approved.
- 3. The Oversight Board delegates to the Successor Agency's Secretary the authority to prepare and sign the Second Amendment.

PASSED, APPROVED AND ADOPTED by the Oversight Board, on a motion by Board Member <u>Paula Driscoll</u>, seconded by Member <u>Christy Madden</u>, this <u>13</u>th day of <u>February</u> 2014.

Chair

Oversight Board

ATTEST:

By: Successor Agency Secretary

Item #10 - Exhibit D

Job Order Contract Customer Approval/Requisition Form



Date:	August 27, 2013		
То:	Donna McKendry, Management Analyst II		
From:	Glenn Hemme, Manager, GSA Projects Group		
Re:	Piru Park Building & Gazebo Exterior Painting Work Order Number - J14950B Location - Piru Train Station		
Brief Scope:	Paint exterior surfaces of the Piru Train Station and Gazebo,		

Dear Donna McKendry:

By signing in the space provided below, you, as an authorized signature authority for your budget are approving GSA Projects Group to proceed with the project as noted. Additionally, you are giving GSA your approval to authorize the necessary paperwork to cause an encumbrance of the funding and the making of payments to the vendor against the accounts identified below.

Construction Costs: \$37,713.94

Project Management Costs @9.90%: \$3,733.68

Total Project Cost: \$41,447.62

Client Contact: Donna McKendry, Management Analyst II Prepared by: Michael Sterling, Project Manager Date MTM Construction Inc Reviewed by: Vendor Name Glenn Hemme, Manager, GSA Projects Group Date Funding Approved by: (SIgnature) 2014A/7112/J14950B Contract Code/PG Number (Print Name) I HEREBY CERTIFY THAT FUNDS FOR THIS PURCHASE WERE AUTHORIZED AND PROVIDED IN THE CURRENT COUNTY BUDGET Job# Activity# Budget Unit# Object# Agency Fund# Agency

Item #10 - Exhibit D



Job Order Contract Detailed Scope of Work

Date: August 26, 2013

Project: J14950B

Piru Park Building & Gazebo Exterior Painting

Location: Piru Train Station

Detailed Scope of Work

Paint exterior surfaces of the Piru Train Station and Gazebo. This shall include but is not limited to the following:

1. Train Station Exterior.

2. Gazebo Exterior.

3. All Railings.

4. Remove bottom turnouts of downspouts and cut 1/2 round opening at bottom,

5. All man doors to be painted on all sides.

6. Chain Link Cage around A/C unit to be painted.

7. Remove/Replace Center Recessed Panels with primed exterior glued plywood and re-installed with adhesive on backs to prevent warpage.

9.26

Glenn Hemme, Manager, GSA Projects Group

Date

Detailed Scope of Work





