

CAMARILLO COMMUNITY DEVELOPMENT COMMISSION

ASSET TRANSFER REVIEW

Review Report

January 1, 2011, through January 31, 2012



JOHN CHIANG
California State Controller

July 2014



JOHN CHIANG
California State Controller

July 22, 2014

Ronnie J. Campbell, Director of Finance
Camarillo Community Development
Commission/Successor Agency
601 Carmen Drive
Camarillo, CA 93010

Dear Mr. Campbell:

Pursuant to Health and Safety Code section 34167.5, the State Controller's Office (SCO) reviewed all asset transfers made by the Camarillo Community Development Commission (RDA) to the City of Camarillo (City) or any other public agency after January 1, 2011. This statutory provision states, "The Legislature hereby finds that a transfer of assets by a redevelopment agency during the period covered in this section is deemed not to be in furtherance of the Community Redevelopment Law and is thereby unauthorized." Therefore, our review included an assessment of whether each asset transfer was allowable and whether it should be turned over to the Successor Agency.

Our review applied to all assets including, but not limited to, real and personal property, cash funds, accounts receivable, deeds of trust and mortgages, contract rights, and rights to payment of any kind. We also reviewed and determined whether any unallowable transfers of assets to the City or any other public agencies have been reversed.

Our review found that the RDA transferred \$79,581,499 in assets after January 1, 2011, including unallowable transfers totaling \$50,958,381 to the City, or 64.03% of transferred assets.

However, the following corrective actions have been taken since the unallowable transfers occurred:

- On February 1, 2012, the City transferred \$6,650,619 in unspent bond proceeds to the Successor Agency.
- Also on February 1, 2012, the City transferred \$169,645 in cash to the Successor Agency.
- On June 30, 2012, the City transferred \$1,725,957 in capital assets to the housing agency.
- On August 13, 2013, the City turned over \$11,843,650 in cash to the Successor Agency.
- On October 23, 2013, the City transferred \$30,568,510 in capital assets to the Successor Agency.

Therefore, no further action is necessary.

If you have any questions, please contact Elizabeth González, Bureau Chief, Local Government Compliance Bureau, by telephone at (916) 324-0622.

Sincerely,

Original signed by

JEFFREY V. BROWNFIELD, CPA
Chief, Division of Audits

JVB/sk

cc: Jan MacDonald, Chair of Oversight Board
Camarillo Redevelopment/Successor Agency
Jeffery S. Burgh, Assistant Auditor-Controller
Ventura Auditor-Controller
David Botelho, Program Budget Manager
California Department of Finance
Richard J. Chivaro, Chief Legal Counsel
State Controller's Office
Elizabeth González, Bureau Chief
Division of Audits, State Controller's Office
Betty Moya, Audit Manager
Division of Audits, State Controller's Office
Daniel Tobia, Auditor-in-Charge
Division of Audits, State Controller's Office

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Asset Transfer Review Report

Summary

The State Controller's Office (SCO) reviewed the asset transfers made by the Camarillo Community Development Commission (RDA) after January 1, 2011. Our review included, but was not limited to, real and personal property, cash funds, accounts receivable, deeds of trust and mortgages, contract rights, and rights to payments of any kind from any source.

Our review found that the RDA transferred \$79,581,499 in assets after January 1, 2011, including unallowable transfers totaling \$50,958,381 to the City of Camarillo (City), or 64.03% of transferred assets.

However, the following corrective actions have been taken since the unallowable transfers occurred:

- On February 1, 2012, the City transferred \$6,650,619 in unspent bond proceeds to the Successor Agency.
- Also on February 1, 2012, the City transferred \$169,645 in cash to the Successor Agency.
- On June 30, 2012, the City transferred \$1,725,957 in capital assets to the housing agency.
- On August 13, 2013, the City turned over \$11,843,650 in cash to the Successor Agency.
- On October 23, 2013, the City transferred \$30,568,510 in capital assets to the Successor Agency.

Therefore, no further action is necessary.

Background

In January of 2011, the Governor of the State of California proposed statewide elimination of redevelopment agencies (RDAs) beginning with the fiscal year (FY) 2011-12 State budget. The Governor's proposal was incorporated into Assembly Bill 26 (ABX1 26, Chapter 5, Statutes of 2011, First Extraordinary Session), which was passed by the Legislature, and signed into law by the Governor on June 28, 2011.

ABX1 26 prohibited RDAs from engaging in new business, established mechanisms and timelines for dissolution of the RDAs, and created RDA Successor Agencies to oversee dissolution of the RDAs and redistribution of RDA assets.

A California Supreme Court decision on December 28, 2011 (*California Redevelopment Association et al. v. Matosantos*), upheld ABX1 26 and the Legislature's constitutional authority to dissolve the RDAs.

ABX1 26 was codified in the Health and Safety (H&S) Code beginning with section 34161.

H&S Code section 34167.5 states in part, “. . .the Controller shall review the activities of redevelopment agencies in the state to determine whether an asset transfer has occurred after January 1, 2011, between the city or county, or city and county that created a redevelopment agency or any other public agency, and the redevelopment agency,” and the date on which the RDA ceases to operate, or January 31, 2012, whichever is earlier.

The SCO has identified transfers of assets that occurred after January 1, 2011, between the RDA, the City, and/or other public agencies. By law, the SCO is required to order that such assets, except those that already had been committed to a third party prior to June 28, 2011, the effective date of ABX1 26, be turned over to the Successor Agency. In addition, the SCO may file a legal action to ensure compliance with this order.

Objective, Scope, and Methodology

Our review objective was to determine whether asset transfers that occurred after January 1, 2011, and the date upon which the RDA ceased to operate, or January 31, 2012, whichever was earlier, between the city or county, or city and county that created an RDA, or any other public agency, and the RDA, were appropriate.

We performed the following procedures:

- Interviewed Successor Agency personnel to gain an understanding of the Successor Agency operations and procedures.
- Reviewed meeting minutes, resolutions, and ordinances of the Camarillo City Council, the RDA, the Successor Agency, and the Oversight Board.
- Reviewed accounting records relating to the recording of assets.
- Verified the accuracy of the Asset Transfer Assessment Form. This form was sent to all former RDAs to provide a list of all assets transferred between January 1, 2011, and January 31, 2012.
- Reviewed applicable financial reports to verify assets (capital, cash, property, etc.).

Conclusion

Our review found that the Camarillo Community Development Commission transferred \$79,581,499 in assets after January 1, 2011, including unallowable transfers totaling \$50,958,381 to the City of Camarillo, or 64.03% of transferred assets.

However, the following corrective actions have been taken since the unallowable transfers occurred:

- On February 1, 2012, the City transferred \$6,650,619 in unspent bond proceeds to the Successor Agency.

- Also on February 1, 2012, the City transferred \$169,645 in cash to the Successor Agency.
- On June 30, 2012, the City transferred \$1,725,957 in capital assets to the housing agency.
- On August 13, 2013, the City turned over \$11,843,650 in cash to the Successor Agency.
- On October 23, 2013, the City transferred \$30,568,510 in capital assets to the Successor Agency.

Therefore, no further action is necessary.

Details of our finding are in the Finding and Order of the Controller section of this report.

Views of Responsible Officials

We issued a draft review report on October 2, 2013. Ronnie Campbell, Finance Director, responded by letter dated October 17, 2013. Subsequently, the City responded with a revised letter dated November 6, 2013. The City's responses are included in this final review report.

Restricted Use

This report is solely for the information and use of the City of Camarillo, the Successor Agency, the Oversight Board, and the SCO; it is not intended to be and should not be used by anyone other than these specified parties. This restriction is not intended to limit distribution of this report, which is a matter of public record when issued final.

Original signed by

JEFFREY V. BROWNFIELD, CPA
Chief, Division of Audits

July 22, 2014

Finding and Order of the Controller

FINDING— Unallowable asset transfers to the City of Camarillo

The Camarillo Community Development Commission (RDA) transferred \$50,958,381 in assets to the City of Camarillo (City). All of the asset transfers to the City occurred after January 1, 2011, and the assets were not contractually committed to a third party prior to June 28, 2011.

Unallowable asset transfers were as follows:

- On January 26, 2011, the RDA transferred \$6,650,619 in unspent bond proceeds to the City. The transfer was made in accordance with CDC Resolution No. 2011-1.
- Also on January 26, 2011, the RDA transferred \$11,843,650 in cash assets as a loan repayment to the City. This transfer was made in accordance with CDC Resolution No. 2011-2.
- On March 16, 2011, the RDA transferred \$32,294,467 in capital assets to the City. This included \$15,919,057 in land held for resale, \$7,736,259 in construction-in-progress, \$7,221,353 in depreciable assets, and \$1,417,798 in land. The transfer was made in accordance with CDC Resolution No. 2011-5.
- Also on March 16, 2011, the RDA transferred \$169,645 in cash assets related to capital projects to the City. The transfer was made in accordance with CDC Resolution No. 2011-5.

Pursuant to Health and Safety (H&S) Code section 34167.5, the RDA may not transfer assets to a city, county, city and county, or any other public agency after January 1, 2011. Those assets should be turned over to the Successor Agency for disposition in accordance with H&S Code section 34177(d) and (e). However, it appears that some of those assets also may be subject to the provisions of H&S Code section 34181(a). H&S Code section 34181(a) states:

The oversight board shall direct the successor agency to do all of the following:

- (a) Dispose of all assets and properties of the former redevelopment agency that were funded by tax increment revenues of the dissolved redevelopment agency; provided however, that the oversight board may instead direct the successor agency to transfer ownership of those assets that were constructed and used for a government purpose, such as roads, school buildings, parks, and fire stations, to the appropriate public jurisdiction pursuant to any existing agreements relating to the construction or use of such as asset....

However, the following corrective actions have been taken since the unallowable transfers occurred:

- On February 1, 2012, the City transferred \$6,650,619 in unspent bond proceeds to the Successor Agency.

- Also on February 1, 2012, the City transferred \$169,645 in cash to the Successor Agency.
- On June 30, 2012, the City transferred \$1,725,957 in former RDA capital assets to the Successor Housing Authority.
- On August 13, 2013, the City turned over \$11,843,650 in cash to the Successor Agency.
- On October 23, 2013, the City transferred \$30,568,510 in capital assets to the Successor Agency.

Order of the Controller

Pursuant to H&S Code section 34167.5, the City is ordered to return the assets in the amount of \$50,958,381 to the Successor Agency. However, as \$50,958,381 in assets already have been returned to the Successor Agency, no further action is necessary.

City's Response to Draft Report

The City responded to the draft review report in a letter dated October 17, 2013 (Attachment 1). Subsequently, the City responded with a revised letter dated November 6, 2013 (Attachment 2). The City's response regarding the asset transfers is adequately addressed in the City's revised letter dated November 6, 2013.

City's November 6, 2013 Response

01/26/11 - 01/30/12: Use on Bond Proceeds for a completed project totaling \$8,611,926 occurred between the 1/26/11 Transfer from and the 2/1/12 Transfer back to the Successor agency.

01/31/12: Additional administrative costs for the former CDC were expensed prior to January 31, 2012. This is comprised of \$815,195 as of 1/26/11 and the additional \$261,434 allowed per your review.

01/31/12: The cumulative excess tax increment returned to the Successor Agency totaled \$500,527 (an increase of \$51,233 from the \$449,294 you reference on page 5 of the Report).

SCO's Response

The SCO agrees with the City. Upon reviewing further documentation provided by the City, we determined that the \$8,611,926 in unallowable assets remaining from the January 26, 2011 transfer were project costs expended for third-party obligations. The finding has been adjusted to reflect this.

Additionally, the City states administrative costs were expensed prior to January 31, 2012. The SCO recognizes that transfers for administrative costs are allowable and the finding has been adjusted to allow transfers of excess tax increment spent on administrative costs.

Furthermore, the City contends that the cumulative tax increment returned should be increased by \$51,233. However, this amount was not turned over, but spent on administrative costs. The finding has been adjusted to allow transfers of excess tax increment that was spent on administrative costs. Also, the finding has been adjusted regarding the transfer and return of \$449,294 that occurred prior to the RDA dissolution.

No further action is necessary in relation to these assets (see Schedule 1).

City's November 6, 2013 Response

08/12/13 - 08/14/13: Reversal of a FY11/12 Transaction totaling \$11,843,650 was completed as directed by the Due Diligence Review: Other Funds (DDR-Other). "Attachment A" shows the Journal Entry prepared by the City to reverse that transaction in the FY12/13.

SCO's Response

The SCO notes that the unallowable transfer in the amount of \$11,843,650 has been reversed. No further action is necessary in relation to these assets (see Schedule 1).

City's November 6, 2013 Response

10/23/13: On the forthcoming Agenda, our City Council will consider the request to transfer the remaining Land and Capital Assets totaling \$30,568,510 from the City to the Successor Agency. "Attachment B" is the Agenda Report and related Journal Entry that was prepared to execute this transfer back to the Successor Agency.

Additionally our City's Attorney would like to offer the following comments:

1. . . the Report fails to recognize Section 34191.3 which suspends the requirements of Sections 34177(e) and 34181(a) until the Department of Finance has approved a long-range property management plan pursuant to Section 34191.5. . .
2. . . pursuant to Section 34191.4, and other sections, the Successor Agency may now submit to the Oversight Board and the State Department of Finance a proposed long-range property management plan. . .

SCO's Response

The SCO notes that the City was awaiting action per H&S Code section 34191.3 and the Finding of Completion from the Department of Finance. However, per H&S Code section 34167.5, relevant to this review, the RDA should not have transferred assets to the City. Those assets should have resided with the Successor Agency while these provisions applied.

The SCO also notes that a journal entry was made to return the assets to the Successor Agency. No further action is necessary in relation to these assets.

**Schedule 1—
Unallowable RDA Asset
Transfers to the City of Camarillo
January 1, 2011, through January 31, 2012**

Unallowable transfers to the City of Camarillo

| | |
|--|---------------------|
| Cash transferred for capital projects on January 26, 2011 | \$ 6,650,619 |
| Cash transferred for repayment of loan on January 26, 2011 | 11,843,650 |
| Capital assets transferred on March 16, 2011 | 32,294,467 |
| Cash transferred for capital projects on March 16, 2011 | <u>169,645</u> |
| Total unallowable transfers | <u>50,958,381</u> |
| City unspent bond proceeds transferred to Successor Agency on February 1, 2012 | (6,650,619) |
| City cash transfer to Successor Agency on February 1, 2012 | (169,645) |
| City asset transfer to Successor Housing Authority on June 30, 2012 | (1,725,957) |
| City reversal of loan repayment on August 15, 2013 | (11,843,650) |
| City capital asset transfer to Successor Agency on October 23, 2013 | <u>(30,568,510)</u> |
| Total RDA assets subject to H&S Code section 34167.5 | <u>\$ —</u> |

**Attachment 1—
City of Camarillo's Response
to Draft Review Report, October 17, 2013**



City of Camarillo

601 Carmen Drive • P.O. Box 248 • Camarillo, CA 93011-0248

Department of Finance
(805) 388-5320
fax (805) 388-5318

October 17, 2013

Mr. Steven Mar
Chief, Local Government Audits Bureau
State Controller's Office, Division of Audits
P.O. Box 942850
Sacramento, CA 94250-5874

Dear Mr. Mar:

We have reviewed the draft Asset Transfer Review report for the period January 1, 2011, through January 31, 2012, relating to the Camarillo Community Development Commission. We offer the following response to your conclusion that \$50,397,306 in unallowable assets must be turned over to the Successor Agency.

Draft response:

In that the time period for this Asset Review concluded 01/31/12, the following subsequent actions have already been taken to complete the transfer of RDA Assets back to the City of Camarillo as Successor Agency (Successor Agency) to the Camarillo Community Development Commission (CDC) except for the transfer of the real property and capital assets which will take place on October 23, 2013:

- 01/26/11 – 01/30/12: Use on Bond Proceeds for a completed project totaling \$8,195,347 occurred between the 01/26/11 Transfer from and the 02/01/12 Transfer back to the Successor Agency. With Benefit of our Finding of Completion, we anticipate this expenditure being cleared administratively through the State Department of Finance and its ROPS Process as applicable.
- 01/31/12: Additional administrative cost for the former CDC were expensed prior to January 31, 2012. The cumulative total is \$1,338,063 (an increase of \$261,434 from the \$1,076,629 you reference on page 5 of the Report).

- 01/31/12: The cumulative excess tax increment returned to the Successor Agency totaled \$500,527 (an increase of \$51,233 from the \$449,294 you reference on page 5 of the Report).
- 08/12/13 - 08/14/13: Reversal of a FY11/12 Transaction totaling \$11,843,650 was completed as directed by the Due Diligence Review: Other Funds (DDR-Other).
- 10/23/13: On the forthcoming Agenda, our City Council will consider the request to transfer remaining Land and Capital Assets totaling \$30,568,510 from the City to the Successor Agency.

Additionally, our City's Attorney would offer the following comments. We are very concerned about the Draft Review Report ("Report") enclosed with your letter of October 2, 2013 (received on October 7, 2013) for the following reasons:

1. The Report page 5 (last paragraph) refers to disposition of the assets in accordance with H&S Section 34177 (d) and (e) and with approval by the Oversight Board pursuant to Section 34181(a). However, the Report fails to recognize Section 34191.3, which suspends the requirements of Sections 34177(e) and 34181(a), until the Department of Finance has approved a long-range property management plan pursuant to Section 34191.5, at which time the plan will govern and supersede all other provisions relating to the disposition and use of the real property assets of the former redevelopment agency.
2. Your Report should also note the fact that the Camarillo Successor Agency received a Finding of Completion from the State Department of Finance on August 7, 2013 (copy enclosed), and that pursuant to Section 34191.4, and other Sections, the Successor Agency may now submit to the Oversight Board and the State Department of Finance a proposed long-range property management plan, apply for loan agreements between the City and Camarillo Community Development Commission to be deemed to be an enforceable obligation, and use bond proceeds for bonds issued before December 31, 2010 for the purposes for which the bonds were sold.
3. With regard to the transfer of the real property assets from the City to the Successor Agency, we again call your attention to the letter from City Attorney Brian Pierik to your office dated June 13, 2013 (copy enclosed) which your office responded to by letter dated July 9, 2013 (copy enclosed). We have requested that your office not require the transfer to these real property assets to the Successor Agency for the reasons stated in this letter. Further, consistent with this letter, the Successor Agency has included all of these real property assets in the long range property management plan which will be considered by the Oversight Board at its meeting on October 30, 2013.

The failure to include the above information in items 1 and 2 in the final Review Report would be inconsistent with the legal provisions of the Health & Safety Code. On item 3, this is a request to allow the City to retain title to these real properties, pending the approval of the long-range property management plan which we believe is a reasonable request.

Mr. Steven Mar
October 17, 2013
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If you wish to discuss these points, please contact Camarillo City Attorney Brian Pierik at bpierik@bwslaw.com or on his cell phone at 805-377-3565. For any questions regarding all other comments, please contact me at rcampbell@ci.camarillo.ca.us or 805-388-5320.

Sincerely,



Ronnie J. Campbell
Director of Finance

City of Camarillo
Statement of Net Assets
Fiduciary Fund 295 &
GFAAG Fund 705 &
GLTDAG Fund #795
June 30, 2013 - Prelim. Report

| | No Adjusting Entries | After Adjusting Entries |
|--|---|---|
| | Successor Agency Private-Purpose Trust Fund | Successor Agency Private-Purpose Trust Fund |
| ASSETS | | |
| Current assets: | | |
| Cash and investments | 2,203,910.22 | 2,203,910.22 |
| Restricted cash and investments with fiscal agents | 15,449,339.80 | 15,449,339.80 |
| Interest receivable | 456.70 | 456.70 |
| Total current assets | <u>17,653,706.72</u> | <u>17,653,706.72</u> |
| Noncurrent assets: | | |
| Due From the City | 11,852,273.00 | 11,852,273.00 |
| Notes - KDF Park Glen Sr. Apts. | - | 275,000.00 |
| Land for Resale | - | 15,919,057.48 |
| Capital assets: | | |
| Non-depreciable assets | 1,500.00 | 10,137,854.48 |
| Non-depreciable assets | - | 9,350,966.83 |
| Depreciable assets | - | 7,305,156.27 |
| Accum Deprec on Depreciable assets | - | (280,713.51) |
| Accum Deprec on Depreciable assets | - | (343,480.52) |
| Total capital assets | <u>1,500.00</u> | <u>26,169,783.55</u> |
| Total noncurrent assets | <u>11,853,773.00</u> | <u>54,216,114.03</u> |
| Total assets | <u>29,507,479.72</u> | <u>71,869,820.75</u> |
| LIABILITIES | | |
| Current liabilities: | | |
| Accounts payable | 743,128.77 | 36,115.02 |
| Intergovernmental payables (Due to City) | 29,991.94 | 29,991.94 |
| Retentions payable | - | - |
| Long-term debt - due within one year | 1,045,000.00 | 1,045,000.00 |
| Total current liabilities | <u>1,818,120.71</u> | <u>1,111,106.96</u> |
| Noncurrent liabilities: | | |
| Long-term debt - due in more than one year | 60,400,000.00 | 60,400,000.00 |
| Advance Payable | 11,843,650.00 | 11,950,458.74 |
| Total noncurrent liabilities | <u>72,243,650.00</u> | <u>72,350,458.74</u> |
| Total liabilities | <u>74,061,770.71</u> | <u>73,461,565.70</u> |
| NET ASSETS | | |
| Net assets (deficit) held in trust for other purposes | <u>(44,554,290.99)</u> | <u>(1,591,744.95)</u> |

**Attachment 2—
City of Camarillo's Response
to Draft Review Report, November 6, 2013**



City of Camarillo

601 Carmen Drive • P.O. Box 248 • Camarillo, CA 93011-0248

November 6, 2013

Mr. Steven Mar
Chief, Local Government Audits Bureau
State Controller's Office, Division of Audits
P.O. Box 942850
Sacramento, CA 94250-5874

Dear Mr. Mar:

We have reviewed the draft Asset Transfer Review report for the period January 1, 2011 through January 31, 2012 relating to the Camarillo Community Development Commission. We previously provided you a draft response on October 17, 2013. After follow-up conversation on November 5, 2013 with Daniel Tobias, Auditor-in-Charge from the Divisions of Audit, in your Department we offer the following response to your conclusion that \$50,397,306 in unallowable assets must be turned over to the Successor Agency.

Draft response:

In that the time period for this Asset Review concluded 01/31/12, the following subsequent actions have already been taken to complete the transfer of RDA Assets back to the City of Camarillo as Successor Agency (Successor Agency) to the Camarillo Community Development Commission (CDC) except for the transfer of the real property and capital assets which will take place on October 23, 2013:

- 01/26/11 -- 01/30/12: Use on Bond Proceeds for a completed project totaling \$8,611,926 occurred between the 1/26/11 Transfer from and the 2/1/12 Transfer back to the Successor Agency. With Benefit of our Finding of Completion, we anticipate this expenditure being cleared administratively through the State Department of Finance and its ROPS Process as applicable.
- 01/31/12: Additional administrative cost for the former CDC were expensed prior to January 31, 2012. The cumulative total is \$1,076,629 as of January 31, 2012. This is comprised of the \$815,195 as of 1/26/11, and the additional \$261,434 allowed per your review, providing a total of \$1,076,629. This is the number referenced on page 5 of the Draft Report.
- 01/31/12: The cumulative excess tax increment returned to the Successor Agency totaled \$500,527 (an increase of \$51,233 from the \$449,294 you reference on page 5 of the Report).

- 08/12/13 – 08/14/13: Reversal of a FY11/12 Transaction totaling \$11,843,650 was completed as directed by the Due Diligence Review: Other Funds (DDR-Other). "Attachment A" shows the Journal Entry prepared by the City to reverse that transaction in the FY12/13.
- 10/23/13: On the forthcoming Agenda, our City Council will consider the request to transfer remaining Land and Capital Assets totaling \$30,568,510 from the City to the Successor Agency. "Attachment B" is the Agenda Report and related Journal Entry that was prepared to execute this transfer back to the Successor Agency.

Additionally our City's Attorney would offer the following comments. We are very concerned about the Draft Review Report ("Report") enclosed with your letter of October 2, 2013 (received on October 7, 2013) for the following reasons:

1. The Report page 5 (last paragraph) refers to disposition of the assets in accordance with H&S Section 34177 (d) and (e) and with approval by the Oversight Board pursuant to Section 34181(a). However, the Report fails to recognize Section 34191.3 which suspends the requirements of Sections 34177(e) and 34181(a) until the Department of Finance has approved a long-range property management plan pursuant to Section 34191.5 at which time the plan will govern, and supersede all other provisions relating to the disposition and use of the real property assets of the former redevelopment agency.
2. Your Report should also note the fact that the Camarillo Successor Agency received a Finding of Completion from the State Department of Finance on August 7, 2013 (copy enclosed) and that pursuant to Section 34191.4, and other Sections, the Successor Agency may now submit to the Oversight Board and the State Department of Finance a proposed long-range property management plan, apply for loan agreements between the City and Camarillo Community Development Commission to be deemed to be an enforceable obligation and use bond proceeds for bonds issued before December 31, 2010 for the purposes for which the bonds were sold.
3. With regard to the transfer of the real property assets from the City to the Successor Agency, we again call your attention to the letter from City Attorney Brian Pierik to your office dated June 13, 2013 (copy enclosed) which your office responded to by letter dated July 9, 2013 (copy enclosed). We have requested that your office not require the transfer to these real property assets to the Successor Agency for the reasons stated in this letter. Further, consistent with the this letter, the Successor Agency has included all of these real property assets in the long range property management plan which will be considered by the Oversight Board at its meeting on October 30, 2013.

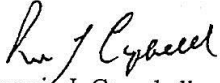
The failure to include the above information in items 1 and 2 in the final Review Report would be inconsistent with the legal provisions of the Health & Safety Code. On item 3, this is a request to allow the City to retain title to these real properties pending the approval of the long-range property management plan which we believe is a reasonable request.

If you wish to discuss these points, please contact Camarillo City Attorney Brian Pierik at bpierik@bwsllaw.com or on his cell phone at 805.377.3565.

Mr. Steven Mar
November 6, 2013
Page 2

If you have any questions regarding all other comments, please contact me at rcampbell@ci.camarillo.ca.us or 805-388-5320

Sincerely,



Ronnie J. Campbell
Director of Finance

CITY OF CAMARILLO
ADJUSTING JOURNAL UPDATE LIST

PREPARED 08/15/2013, 11:39:23
PROGRAM: ENJ13U

GROUP NUMBER : 02455 DOF-Revs CDC Loan Repay
ACCOUNTING PERIOD: 12/2013
GROUP USER ID : JPMASNERUS
GROUP CREATED BY : GFONSALAN
GROUP UPDATED BY : LPARR

| TRANS NO | TRANS DATE | DOCUMENT BANK TYPE | ACCOUNT NUMBER | DESCRIPTION 1 | PROJECT | DEBIT AMOUNT | CREDIT AMOUNT |
|-----------------------|------------|--------------------|--------------------|-------------------------|---------|---------------|---------------|
| DESCRIPTION 2 | | | WORK ORDER JOB# | FACILITIES ID | | | |
| 100 | 06/30/2013 | | 101-0000-212.95-00 | DOF-Revs CDC Loan Repay | | | 11,265,385.00 |
| Bond Proceeds Portion | | | | | | | |
| 200 | 06/30/2013 | | 101-0000-212.95-00 | DOF-Revs CDC Loan Repay | | 578,265.00 | |
| Tax Increment Portion | | | | | | | |
| 300 | 06/30/2013 | | 295-0000-131.01-00 | DOF-Revs CDC Loan Repay | | 11,265,385.00 | |
| Bond Proceed Portion | | | | | | | |
| 400 | 06/30/2013 | | 295-0000-131.01-00 | DOF-Revs CDC Loan Repay | | 578,265.00 | |
| Tax Increment Portion | | | | | | | |
| 500 | 06/30/2013 | | 101-0000-151.95-00 | DOF-Revs CDC Loan Repay | | | 11,843,650.00 |
| 600 | 06/30/2013 | | 295-0000-231.01-00 | DOF-Revs CDC Loan Repay | | | 11,843,650.00 |

GROUP TOTALS

COUNT: 6
DEBITS: 23,687,300.00
CREDITS: 23,687,300.00

Attachment A



City of Camarillo

AGENDA REPORT

Date: October 23, 2013
To: Honorable Mayor and Councilmembers
From: Bruce Feng, City Manager *Bruce Feng*
Submitted by: Brian Pierik, City Attorney
Subject: Transfer of Real Properties to Camarillo

Attachment B

SUMMARY

This item involves the transfer by the City of Camarillo to the Camarillo Successor Agency title to five real properties which were formerly owned by the Camarillo Community Development Commission (CDC).

DISCUSSION

The City of Camarillo is the title owner to five real properties within the City that were formerly owned by the CDC (Real Properties). Pursuant to AB 26 and AB 1484, the State Controller's Office has requested the City to transfer title to these Real Properties to the Camarillo Successor Agency. The City of Camarillo serves as the Successor Agency, but the Successor Agency is a separate legal entity under the law. The Camarillo Successor Agency has prepared a proposed Long-Range Property Management Plan (Plan) which is authorized by Health & Safety Code Section 34191.5 that was adopted by AB 1484 and the Plan will be considered by the Oversight Board on October 30, 2013. The Plan proposes, pursuant to Section 34191.5(c)(2)(A), that the Real Properties be transferred from the Camarillo Successor Agency to the City of Camarillo for development consistent with the redevelopment plans which were approved by the CDC. The Real Properties are identified in the Attachment to this Agenda Report and may be described generally as follows:

- (1) Former Fire Station on Ventura Boulevard in Old Town
- (2) Hotel/Conference Center at Ventura Boulevard and Las Posas Road
- (3) Former Courthouse Building on Ventura Boulevard in Old Town
- (4) 12 Acre Site West of Home Depot
- (5) Palm Drive Parking Easements

Transfer of Real Properties
October 23, 2013
Page 2

BUDGET IMPACT

None. This item does not require an expenditure of funds.

SUGGESTED ACTION

A motion to authorize the Mayor to sign the deeds to transfer title from City of Camarillo to the Camarillo Successor Agency to the Real Properties which formerly owned by the Camarillo Community Development Commission.

ATTACHMENT

List of properties to be transferred

Finance Review: DW

PROPERTIES TO BE TRANSFERRED TO CAMARILLO SUCCESSOR AGENCY

| Deed and Property Description | Recording Number |
|---|---------------------|
| Grant Deed, Camarillo Community Development Commission to City, Fire Station 54, 160-0-160-230; 160-0-160-445 | 20110317-00044515-0 |
| Grant Deed, Camarillo Community Development Commission to City, Hotel/ Conference Center (Flood Control Channel) 229-0-010-090, 229-0-010-100, 229-0-010-150 *per County Mapping –also includes 229-0-010-140 | 20110317-00044516-0 |
| Grant Deed, Camarillo Community Development Commission to City, Hotel/Conference Center (Las Posas Properties/Minder) 229-0-010-590, 229-0-010-610 | 20110317-00044517-0 |
| Grant Deed, Camarillo Community Development Commission to City, Hotel/Conference Center (CPG Partners) 229-0-010-110, 229-0-010-630 | 20110317-00044518-0 |
| Grant Deed, Camarillo Community Development Commission to City, Former Courthouse Bldg., 162-0-070-280 | 20110317-00044519-0 |
| Grant Deed, Camarillo Community Development Commission to City, 12 Acre Site West of Home Depot (Western, Pearson, Challinor), 230-0-010-460, 230-0-020-220 | 20110317-00044520-0 |
| Easement Deed, Camarillo Community Development Commission to City, Palm Drive Parking lot, 162-0-153-030 | 20110322-00047447-0 |
| Easement Deed, Camarillo Community Development Commission to City, Palm Drive Parking lot, 162-0-153-040 | 20110322-00047448-0 |
| Easement Deed, Camarillo Community Development Commission to City, Palm Drive Parking lot, 162-0-153-055 | 20110322-00047449-0 |
| Easement Deed, Camarillo Community Development Commission to City, Palm Drive Parking lot, 162-0-153-060 | 20110322-00047450-0 |
| Easement Deed, Camarillo Community Development Commission to City, Palm Drive Parking lot, 162-0-153-070 | 20110322-00047451-0 |
| Easement Deed, Camarillo Community Development Commission to City, Palm Drive Parking lot, 162-0-153-080 | 20110322-00047452-0 |
| Easement Deed, Camarillo Community Development Commission to City, Palm Drive Parking lot, 162-0-153-090 | 20110322-00047453-0 |

| TRANS NO | TRANS DATE | DOCUMENT BANK TYPE | ACCOUNT NUMBER | DESCRIPTION 1 | PROJECT | DEBIT AMOUNT | CREDIT AMOUNT |
|----------|------------|--------------------|--------------------|-------------------------|---------|---------------|---------------|
| 100 | 06/30/2013 | | 450-0000-153.00-00 | DOF-Trans Real Property | | | 14,193,100.48 |
| | | Land for Resale | | | | | |
| 200 | 06/30/2013 | | 450-9999-499.98-95 | DOF-Trans Real Property | | 14,193,100.48 | |
| | | Land for Resale | | | | | |
| 220 | 06/30/2013 | | 450-0000-273.00-00 | DOF-Trans Real Property | | | 14,193,100.48 |
| | | Land for Resale | | | | | |
| 230 | 06/30/2013 | | 450-0000-271.38-00 | DOF-Trans Real Property | | 14,193,100.48 | |
| | | Land for Resale | | | | | |
| 300 | 06/30/2013 | | 295-0000-153.00-00 | DOF-Trans Real Property | | 14,193,100.48 | |
| | | Land for Resale | | | | | |
| 400 | 06/30/2013 | | 295-9999-399.98-45 | DOF-Trans Real Property | | 14,193,100.48 | |
| | | Land for Resale | | | | | |
| 500 | 06/30/2013 | | 295-0000-273.00-00 | DOF-Trans Real Property | | 14,193,100.48 | |
| | | Land for Resale | | | | | |
| 600 | 06/30/2013 | | 295-0000-271.38-00 | DOF-Trans Real Property | | 14,193,100.48 | |
| | | Land for Resale | | | | | |

GROUP TOTALS
 COUNT: 8
 DEBITS: 56,772,401.92
 CREDITS: 56,772,401.92

CITY OF CAMARILLO
ADJUSTING JOURNAL UPDATE LIST

PREPARED 10/10/2013, 8:26:50
PROGRAM: GM3130

GROUP NUMBER : 02732 DOP-Trans Cap Assets&CIP
ACCOUNTING PERIOD: 14/2013
GROUP USER ID : JMANSENUS
GROUP CREATED BY : JMANSENUS
GROUP UPDATED BY : LPARR

| TRANS NO | TRANS DATE | DESCRIPTION 2 | DOCUMENT BANK TYPE | ACCOUNT NUMBER | DESCRIPTION 1 | WORK ORDER | FACILITIES ID | PROJECT | DEBIT AMOUNT | CREDIT AMOUNT |
|----------|------------|---------------------|--------------------|--------------------|--------------------------|------------|---------------|---------|--------------|---------------|
| 100 | 06/30/2013 | Re:3-16-11 Transfer | | 705-0000-171.10-55 | DOP-Trans Cap Assets&CIP | | | | 1,417,797.40 | |
| 200 | 06/30/2013 | Re:3-16-11 Transfer | | 705-0000-179.00-00 | DOP-Trans Cap Assets&CIP | | | | 7,736,258.93 | |
| 300 | 06/30/2013 | Re:3-16-11 Transfer | | 705-0000-172.20-55 | DOP-Trans Cap Assets&CIP | | | | 337,589.18 | |
| 400 | 06/30/2013 | Re:3-16-11 Transfer | | 705-0000-182.20-55 | DOP-Trans Cap Assets&CIP | | | | | 26,132.90 |
| 500 | 06/30/2013 | Re:3-16-11 Transfer | | 705-0000-172.20-55 | DOP-Trans Cap Assets&CIP | | | | 50,000.00 | |
| 600 | 06/30/2013 | Re:3-16-11 Transfer | | 705-0000-182.20-55 | DOP-Trans Cap Assets&CIP | | | | | 17,760.94 |
| 700 | 06/30/2013 | Re:3-16-11 Transfer | | 705-0000-178.59-55 | DOP-Trans Cap Assets&CIP | | | | 6,829,995.09 | |
| 800 | 06/30/2013 | Re:3-16-11 Transfer | | 705-0000-188.59-55 | DOP-Trans Cap Assets&CIP | | | | | 176,259.18 |
| 900 | 06/30/2013 | Re:3-16-11 Transfer | | 705-0000-174.40-55 | DOP-Trans Cap Assets&CIP | | | | 196,910.50 | |
| 1000 | 06/30/2013 | Re:3-16-11 Transfer | | 705-0000-174.40-55 | DOP-Trans Cap Assets&CIP | | | | 87,572.00 | |
| 1100 | 06/30/2013 | Re:3-16-11 Transfer | | 705-0000-184.40-55 | DOP-Trans Cap Assets&CIP | | | | | 60,570.49 |
| 1200 | 06/30/2013 | Re:3-16-11 Transfer | | 705-0000-291.92-00 | DOP-Trans Cap Assets&CIP | | | | | 16,375,409.59 |

GROUP TOTALS
COUNT: 12
DEBITS: 16,656,123.10 ✓
CREDITS: 16,656,123.10 ✓

From Fed 750

CITY OF CAMBRILLO
ADJUSTING JOURNAL UPDATE LIST

PREPARED 10/10/2013, 8:27:13
PROGRAM: CM313U

GROUP NUMBER : 02851 Transfer Fd 496 #2-TO295
ACCOUNTING PERIOD: 14/2013
GROUP USER ID : JMANSNERUS
GROUP CREATED BY : JMANSNERUS
GROUP UPDATED BY : LPARR

| TRANS NO | TRANS DATE | DESCRIPTION 2 | DOCUMENT BANK TYPE | ACCOUNT NUMBER | DESCRIPTION 1 | WORK ORDER | JOB# | FACILITIES ID | PROJECT | DEBIT AMOUNT | CREDIT AMOUNT |
|----------|------------|-----------------|--------------------|--------------------|---------------|------------|----------|---------------|---------|--------------|---------------|
| 300 | 06/30/2013 | | | 496-0000-153.00-00 | TRANSFER FD | 496 | #2-TO295 | | | 1,725,957.00 | |
| 400 | 06/30/2013 | | | 496-9999-499.99-95 | TRANSFER FD | 496 | #2-TO295 | | | 1,725,957.00 | |
| 500 | 06/30/2013 | | | 295-9999-399.99-46 | TRANSFER FD | 496 | #2-TO295 | | | | 1,725,957.00 |
| 800 | 06/30/2013 | | | 295-0000-153.00-00 | TRANSFER FD | 496 | #2-TO295 | | | 1,725,957.00 | |
| 900 | 06/30/2013 | Land For Resale | | 295-0000-273.00-00 | TRANSFER FD | 496 | #2-TO295 | | | 1,725,957.00 | |
| 1000 | 06/30/2013 | Land For Resale | | 295-0000-271.98-00 | TRANSFER FD | 496 | #2-TO295 | | | | 1,725,957.00 |

GROUP TOTALS

COUNT: 5
DEBITS: 5,177,871.00
CREDITS: 5,177,871.00

**State Controller's Office
Division of Audits
Post Office Box 942850
Sacramento, CA 94250-5874**

<http://www.sco.ca.gov>