

# **MARIN COUNTY REDEVELOPMENT AGENCY**

## **ASSET TRANSFER REVIEW**

### Review Report

*January 1, 2011, through January 31, 2012*



**JOHN CHIANG**  
California State Controller

June 2013



**JOHN CHIANG**  
**California State Controller**

June 28, 2013

Brian Crawford, Director  
Marin County Community Development Agency  
3501 Civic Center Drive, Room 308  
San Rafael, CA 94903

Dear Mr. Crawford:

Pursuant to Health and Safety (H&S) Code section 34167.5, the State Controller's Office (SCO) reviewed all asset transfers made by the Marin County Redevelopment Agency to the County of Marin 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 County of Marin or any other public agencies have been reversed.

Our review found that the Marin County Redevelopment Agency (RDA) appropriately transferred \$3,487,925 in assets to the Successor Agency. These assets consisted of \$3,457,911 in current assets and \$30,014 in capital assets (land). We did not identify any unallowable transfers of assets that occurred during the review period between the RDA, the County of Marin, and/or other public agencies.

If you have any questions, please contact Steven Mar, Bureau Chief, Local Government Audits Bureau, at (916) 324-7226.

Sincerely,

*Original signed by*

JEFFREY V. BROWNFIELD, CPA  
Chief, Division of Audits

JVB/nh

cc: Roy Given, Treasurer-Tax Collector

County of Marin

Leelee Thomas, Principal Planner

County of Marin

Jonathan Logan, Chair

Marin County Redevelopment/Successor Agency Oversight Board

Steven Szalay, Local Government Consultant

Department of Finance

Richard J. Chivaro, Chief Legal Counsel

State Controller's Office

Steve Mar, Bureau Chief

Division of Audits, State Controller's Office

Betty Moya, Audit Manager

Division of Audits, State Controller's Office

Matthew Rios, Auditor-in-Charge

Division of Audits, State Controller's Office

Nesha Neycheva, Audit Staff

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 Marin County Redevelopment Agency 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 Marin County Redevelopment Agency (RDA) appropriately transferred \$3,487,925 in assets to the Successor Agency. These assets consisted of \$3,457,911 in current assets and \$30,014 in capital assets (land). We did not identify any unallowable transfers of assets that occurred during the review period between the RDA, the County of Marin, and/or other public agencies.

## 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 Code (H&S Code) beginning with section 34161.

In accordance with the requirements of H&S Code section 34167.5, the State Controller is required to review the activities of RDAs, "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 did not identify any transfers of assets that occurred after January 1, 2011, between the Marin County Redevelopment Agency, the County of Marin and/or other public agencies.

**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 Marin County Redevelopment Agency, the Successor Agency, and the Successor Agency 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 Marin County Redevelopment Agency (RDA) appropriately transferred \$3,487,925 in assets to the Successor Agency. These assets consisted of \$3,457,911 in current assets and \$30,014 in capital assets (land). We did not identify any unallowable transfers of assets that occurred during the review period between the RDA, the County of Marin, and/or other public agencies.

**Views of  
Responsible  
Officials**

At an exit conference on May 17, 2013, we discussed the review results with Leelee Thomas, Principal Planner and Amy Brown, Accountant, who agreed with the review results. They further agreed that a draft review report was not necessary and that we could issue the review report as final.

**Restricted Use**

This report is solely for the information and use of the Marin County Redevelopment Agency, the Successor Agency, the Successor Agency 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

June 28, 2013

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

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