

**SUBMITTAL TO THE BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**



ITEM
3.11
(ID # 6220)

MEETING DATE:

Tuesday, February 27, 2018

FROM : AUDITOR CONTROLLER AND EXECUTIVE OFFICE :

SUBJECT: AUDITOR-CONTROLLER AND EXECUTIVE OFFICE: Adopt Resolution No. 2018-037

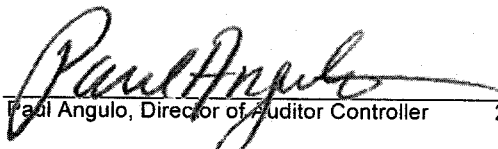
Selecting the County Executive Office to Staff the Consolidated Oversight Board and Approve the Memorandum of Understanding between the County Auditor-Controller's Office and the County Executive Office in Connection with Staffing of the Consolidated Oversight Board Pursuant to Health and Safety Code Section 34179 (j); CEQA Exempt, District: All. [\$0]

RECOMMENDED MOTION: That the Board of Supervisors:

1. Find that the Project is exempt from California Environmental Quality Act pursuant to CEQA State Guidelines Section 15061(b)(3);
2. Adopt Resolution No. 2018-037 a Resolution Selecting the County of Riverside Executive Office to Staff the County of Riverside Consolidated Oversight Board Pursuant to Health and Safety Code Section 34179 (j);
3. Approve and accept, on behalf of the County Executive Office (EO), offer to staff the Consolidated Oversight Board pursuant to Health and Safety Code Section 34179 (j);
4. Approve the attached Memorandum of Understanding (MOU) between the County Auditor-Controller's Office (ACO) and the County Executive Office (EO), delegating staffing obligations for the consolidated Oversight Board created pursuant to Health and Safety Code Section 34179 (j) to the EO, costs to be paid from Redevelopment Property Tax Trust Funds(RPTTF) pursuant to Health and Safety Code Sections 34179 (j) and 34183;

Continued on page 2

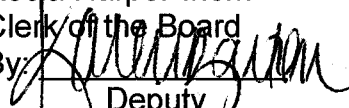
ACTION: Policy


Paul Angulo, Director of Auditor Controller 2/14/2018

MINUTES OF THE BOARD OF SUPERVISORS

On motion of Supervisor Tavaglione, seconded by Supervisor Jeffries and duly carried by unanimous vote, IT WAS ORDERED that the above matter is approved as recommended, and that Supervisor Washington is appointed as the Board representative.

Ayes: Jeffries, Tavaglione, Washington, Perez and Ashley
Nays: None
Absent: None
Date: February 27, 2018
xc: Auditor, EO, Supvr. Washington, Recorder

Kecia Harper-Ihem
Clerk of the Board
By: 
Deputy

**SUBMITTAL TO THE BOARD OF SUPERVISORS COUNTY OF RIVERSIDE,
STATE OF CALIFORNIA**

RECOMMENDED MOTION: That the Board of Supervisors:

5. Authorize the County Executive Officer, or designee, to sign the attached MOU on behalf of the EO, and to take all necessary steps to implement and administer the MOU, including, but not limited to executing subsequent necessary and relevant documents and amendments, subject to approval by County Counsel;
6. Authorize the Auditor-Controller, or designee, to sign the attached MOU on behalf of the ACO, and to take all necessary steps to implement and administer the MOU, including, but not limited to executing subsequent necessary and relevant documents and amendments, subject to approval by County Counsel; and
7. Direct the Clerk of the Board to file a Notice of Exemption with the County Clerk within five (5) days of approval by the Board.

FINANCIAL DATA	Current Fiscal Year:	Next Fiscal Year:	Total Cost:	Ongoing Cost
COST	\$ 0.0	\$ 0.0	\$ 0.0	\$ 0.0
NET COUNTY COST	\$ 0.0	\$ 0.0	\$ 0.0	\$ 0.0
SOURCE OF FUNDS: N/A			Budget Adjustment: No	
			For Fiscal Year: N/A	

C.E.O. RECOMMENDATION: Approve

BACKGROUND:

Summary

Pursuant to the Dissolution Act (i.e., ABx 1 26, AB 1484, and subsequent amendments), the existing 25 successor agencies in the County of Riverside are to wind down the affairs of their respective redevelopment agencies in accordance with the direction of each successor agency's oversight board. In accordance with Health and Safety Code Section 34179 (j), commencing on and after July 1, 2018, the County of Riverside shall have one consolidated oversight board ("Consolidated Oversight Board"). In addition, the Consolidated Oversight Board shall be staffed in the manner specified in Health and Safety Code Section 34179 (j), which authorizes staffing by the county auditor-controller, by another county entity selected by the county auditor-controller, or by a city within the county that the county auditor-controller may select. California Health and Safety Code Section 34179 is attached hereto in its entirety.

The County Auditor-Controller's Office (ACO) recommends the Board of Supervisors select the County's Executive Office (EO), a county entity, to staff the Consolidated Oversight Board, including start-up activities. Subject to Board approval, the EO has agreed to staff the Countywide Consolidated Oversight Board as requested. If the proposed selection is approved by the Board, the ACO will pay the EO for all costs incurred for staffing services provided to the Consolidated Oversight Board from the Redevelopment Property Tax Trust Fund (RPTTF). The selection of the EO to staff the Consolidated Oversight Board is set forth in the attached Resolution No. 2018-037 a Resolution Selecting the County of Riverside Executive Office to Staff the County of Riverside Consolidated Oversight Board Pursuant to Health and Safety Code Section 34179 (j) (Resolution No. 2018-037).

**SUBMITTAL TO THE BOARD OF SUPERVISORS COUNTY OF RIVERSIDE,
STATE OF CALIFORNIA**

The proposed Memorandum of Understanding between the County of Riverside Office of the Auditor-Controller and Executive Office (Consolidated Oversight Board), including exhibits (MOU), sets forth the terms and conditions associated with services, cost, and other roles and responsibilities of the parties in connection with the staffing of the Consolidated Oversight Board. An example of staffing obligations, includes, but is not limited to, supporting the coordination of the appointing entities and facilitating the new oversight board appointments for the consolidated Oversight Board, preparing meeting agendas and reviewing agenda items submitted by successor agencies such as Recognized Obligation Payment Schedule (ROPS), scheduling all meetings, submitting oversight board meeting resolutions, actions, and other necessary documents to the State Department of Finance as required, and providing all other staffing support. The MOU has an initial 5 year term, with 1 year automatic renewals, unless terminated earlier by the parties. All costs incurred by the EO, including the start-up costs, may be recovered directly from RPTTF in accordance with Health and Safety Code Section 34179 (j) and 34183.

Health and Safety Code Section 34179 (j) provides in pertinent part as follows:

“Except as specified in subdivision (q) [of this Section 34179], commencing on and after July1, 2018, in each county where more than one oversight board was created by operation of the act adding this part, there shall be only one oversight board, *which shall be staffed by the county auditor-controller, by another county entity selected by the county auditor-controller, or by a city within the county that the county auditor-controller may select after consulting with the department. Pursuant to Section 34183, the county auditor-controller may recover directly from the Redevelopment Property Tax Trust Fund*, and distribute to the appropriate city of county entity, reimbursement for all costs incurred by it or by the city or county pursuant to this subdivision, which shall include any associated startup costs.....” [emphasis added]

Pursuant to the California Environmental Quality Act (CEQA), the MOU and Resolution No. 2018-037 were reviewed and determined to be categorically exempt under State CEQA Guidelines Section 15061(b)(3), General Rule or “Common Sense” Exemption. Resolution No. 2018-037, and the MOU relate to the delegation of staffing obligations for the Consolidated Oversight Board from the ACO to the EO pursuant to applicable law. Resolution No. 2018-037 and MOU are exempt from CEQA under State CEQA Guidelines Section 15061(b)(3) in that it can be seen with certainty that there is no possibility that the staffing of the Consolidated Oversight Board may have significant effect on the environment, as the staffing obligations are solely administrative in nature, and will not lead to any direct or reasonably indirect physical environmental impacts.

The ACO and EO recommend approval of the proposed MOU and Resolution No. 2018-037. The proposed MOU and resolution No. 2018-037 have been approved as to form by County Counsel.

Impact on Residents and Businesses

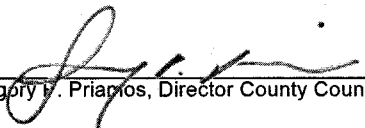
There is no increased costs to the residents and businesses for these services. The Auditor-Controller will reimburse the County Executive Office for the staffing costs from the

**SUBMITTAL TO THE BOARD OF SUPERVISORS COUNTY OF RIVERSIDE,
STATE OF CALIFORNIA**

Redevelopment Property Tax Trust Fund in accordance with Health and Safety Code Sections 34179 (j) and 34183.

ATTACHMENTS:

1. Resolution No. 2018-037
2. Memorandum of Understanding between the County of Riverside Office of The Auditor-Controller and Executive Office (Consolidated Oversight Board), including Exhibits A and B
3. California Health and Safety Code Section 34179
4. Notice of Exemption



Gregory V. Priamos, Director County Counsel 2/20/2018

2 RESOLUTION NO. 2018-037

3 SELECTING THE COUNTY OF RIVERSIDE EXECUTIVE OFFICE TO STAFF THE
4 COUNTY OF RIVERSIDE CONSOLIDATED OVERSIGHT BOARD PURSUANT TO
5 CALIFORNIA HEALTH AND SAFETY CODE SECTION 34179 (J)
6

7 WHEREAS, pursuant to the Dissolution Act (i.e., AB X 1 26 (Stats.2011-2012, 1st Ex.Sess., c. 5) ,
8 AB 1484 (Stats.2012, c. 26), and subsequent amendments) 25 successor agencies to the former redevelopment
9 agencies in the County of Riverside ("County") are required to wind down the affairs of the redevelopment
10 agencies in accordance with the direction of each successor agency's oversight board;

11 WHEREAS, pursuant to California Health and Safety Code ("HSC") Section 34179 (j), commencing
12 on and after July 1, 2018, the County of Riverside shall have one consolidated oversight board staffed in the
13 manner specified in HSC Section 34179 (j);

14 WHEREAS, pursuant to HSC Section 34179 (j), the consolidated oversight board shall be staffed by
15 the County of Riverside Auditor-Controller ("ACO"), by another county entity selected by the ACO, or by a
16 city within the County that the ACO may select;

17 WHEREAS, the ACO desires to select the County's Executive Office ("EO"), a County entity, to
18 staff the consolidated oversight board, pursuant to HSC Section 34179 (j); and

19 WHEREAS, the ACO will reimburse the EO for all costs incurred pursuant to HSC Section 34179
20 (j).

21 NOW, THEREFORE, BE IT RESOLVED, FOUND, DETERMINED, AND ORDERED by
22 the Board of Supervisors of the County of Riverside ("Board"), in regular session assembled on February
23 27, 2018, in the meeting room of the Board of Supervisors located on the 1st floor of the County
24 Administrative Center, 4080 Lemon Street, Riverside, California, as follows:

- 1. The recitals set forth above are true and correct and incorporated herein by this reference.
- 2. The Board hereby confirms the ACO's selection of the County of Riverside's Executive Office to staff the County of Riverside consolidated oversight board pursuant to California Health and Safety Code Section 34179 (j).

FORM APPROVED COUNTY COUNSEL
BY: *Shirley R. Brown* 8/14/18
DATE
SHIRLEY R. BROWN

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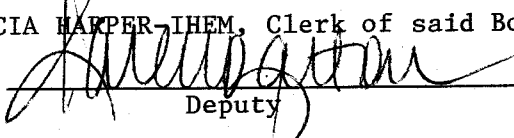
3. The Board hereby authorizes the County Auditor-Controller, or designee, to implement and administer this Resolution.

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ROLL CALL:

Ayes: Jeffries, Tavaglione, Washington, Perez and Ashley
Nays: None
Absent: None

The foregoing is certified to be a true copy of a resolution duly adopted by said Board of Supervisors on the date therein set forth.

KECIA HARPER-IHEM, Clerk of said Board
By 
Deputy

CLERK'S COPY

to Riverside County Clerk of the Board, Stop 1010
Post Office Box 1147, Riverside, Ca 92502-1147

Thank you,

MEMORANDUM OF UNDERSTANDING
BETWEEN THE COUNTY OF RIVERSIDE OFFICE OF THE AUDITOR-CONTROLLER
AND EXECUTIVE OFFICE
(CONSOLIDATED OVERSIGHT BOARD)

THIS MEMORANDUM OF UNDERSTANDING ("MOU") dated February 27, 2018 is entered into by and between the COUNTY OF RIVERSIDE OFFICE OF THE AUDITOR-CONTROLLER ("ACO"), and the COUNTY OF RIVERSIDE EXECUTIVE OFFICE ("EO"), each individually a "Party" and collectively, the "Parties."

RECITALS

WHEREAS, pursuant to the Dissolution Act (i.e., ABx 1 26, AB 1484, and subsequent amendments), 25 successor agencies to the former redevelopment agencies in the County of Riverside are to wind down the affairs of the redevelopment agencies in accordance with the direction of each successor agency's oversight board;

WHEREAS, pursuant to Health and Safety Code Section 34179 (j), commencing on and after July 1, 2018, the County of Riverside shall have one consolidated oversight board staffed in the manner specified in Health and Safety Code Section 34179 (j);

WHEREAS, pursuant to Health and Safety Code Section 34179 (j), the consolidated oversight boards shall be staffed by the county auditor-controller, by another county entity selected by the county auditor-controller, or by a city within the county that the county auditor-controller may select;

WHEREAS, the ACO has selected the EO, a county entity, to staff the consolidated oversight board ("Consolidated Oversight Board");

WHEREAS, the EO has accepted the selection by the ACO to staff the Consolidated Oversight Board;

WHEREAS, the ACO will reimburse the EO for all costs incurred pursuant to Health and Safety Code Section 34179 (j);

WHEREAS, pursuant to Health and Safety Code Section 34179 (j), the ACO will recover directly from the Redevelopment Property Tax Trust Fund for all cost incurred by the EO; and

WHEREAS, this MOU sets forth the terms and conditions associated with services, cost, and other roles and responsibilities of the Parties.

SEARCHED BY 1:10
SERIALIZED BY [unclear]

FEB 27 2018 3.11

2018-5-139523

NOW, THEREFORE, in consideration of the mutual benefits to be derived by the Parties, and of the promises contained in this MOU, the Parties agree as follows:

Section 1. Recitals

1.1 The Recitals set forth above are true and correct and incorporated herein by this reference.

Section 2. Term

2.1 This MOU is effective upon the date this MOU is signed by the authorized representative for the ACO ("Effective Date"). The initial term of this MOU shall be for a period of Five (5) years commencing on the Effective Date, and shall automatically renew every year thereafter for a period of one (1) year, unless terminated in writing by either Party as provided herein.

2.2 The duration of the MOU may be extended or shortened by mutual written consent of the Parties.

2.3 This MOU may be terminated by either Party by giving the other Party a 30-day written notice.

Section 3. Obligations of the Parties

3.1 Obligations of the Executive Office

Staffing Services. Upon the Effective Date, the EO shall provide all staffing support for the Consolidated Oversight Board including, but not limited to, the following:

- a) Assist with Consolidated Oversight Board start-up functions;
- b) Provide expertise and coordinate the process to identify entities that will provide support or specialized services for the ongoing needs of the Consolidated Oversight Board;
- c) Lead and coordinate successor agency staff training and Consolidated Oversight Board member training and manuals;
- d) Based on specific circumstances, and when mutually identified and agreed upon by both Parties, the EO will provide expertise on matters that require increased coordination with multiple county and city departments as required by the Dissolution Act during the initial start-up phase between July 1, 2017 and June 30, 2018;
- e) Prepare meeting agendas and schedule meetings for the Consolidated Oversight Board;
- f) Attend Consolidated Oversight Board meetings and prepare minutes;
- g) Create a website for the Consolidated Oversight Board;
- h) Upload any audio, agendas, minutes, and supporting documents on the Consolidated Oversight Board's website;
- i) Maintain mailing list and rosters of successor agency and oversight board members;

- j) Provide copies of agendas, minutes, memos, press releases, announcements and supporting documents at oversight board meetings;
- k) Provide electronic distribution or by U.S. mail, if requested, of agendas, minutes, supporting documents, and other notifications to all interested persons including oversight board members, successor agencies, and State agencies;
- l) Reserve meeting rooms for the Consolidated Oversight Board, including closed sessions, if needed;
- m) Request room set-up and audio equipment, computer, and other devices for presentations and provide technical support;
- n) Create nameplates, public speaker cards, and sign-in sheets;
- o) Provide a contact person to address public inquiries related to the Oversight Board;
- p) Submit oversight board meeting resolutions, actions, and other necessary documents to the State Department of Finance;
- q) Provide quorum calls for each oversight board meeting;
- r) Maintain and order supply inventory;
- s) Log and process incoming mail and prepare responses;
- t) Attend workgroup, Board of Supervisor meetings, or other meetings regarding the dissolution of redevelopment agencies;
- u) Prepare invoices and itemized list of costs for time billed or other costs incurred for the Consolidated Oversight Board as provided in Section 3 Cost for Services of this MOU;
- v) Provide written notice to ACO of any substantial changes in the staffing and/or administration of the Consolidated Oversight Board; and
- w) Provide all other necessary staffing services to the Consolidated Oversight Board as needed.

Notwithstanding anything to the contrary set forth herein, the EO shall have the authority to make necessary procedural changes, in its discretion, to administer the Consolidated Oversight Board. The EO shall provide written notice to the ACO of any such procedural change.

3.2 Mutual Obligations of Both the Auditor-Controller and the Executive Office

Both Parties agree as follows:

- a) The ACO and EO shall establish mutually satisfactory methods for the exchange of such information as may be necessary in order that each party may perform its duties and functions under this MOU.
- b) The ACO and EO shall establish mutually satisfactory methods for dispute resolution.
- c) The ACO and EO shall develop and implement procedures and forms necessary to administer and document program participation, compliance and effectiveness.
- d) The ACO and EO shall observe all state laws, including but not limited to, the Dissolution Act.

Section 4. Cost for Services

- 4.1. **Time Charge Schedule.** The EO shall complete and submit the Charge Schedule for each employee providing staffing services to the Consolidated Oversight Board by utilizing the form "Time Charge Schedule Summary" attached hereto as "Exhibit A" and "Time Charge Schedule Detail" attached hereto as "Exhibit B". The Time Charge Schedule Detail shall include an itemized list of costs for any additional non-labor costs (e.g., supplies, mileage) with sufficient details to the ACO.
- 4.2. **Staff Information** The EO shall provide a list of staff, staff's position and job description, and hourly billing rate for each staff to be charged according to this MOU and submit a new list, if any information changes.
- 4.3 **Billing** The EO shall bill the ACO semi-annually the actual costs for the staff services provided for the previous period by submitting the Time Charge Schedule Detail and Summary.
 - 4.3.1 The EO will only be reimbursed for costs and un-cancelable obligations incurred prior to the date of termination. The EO will not be reimbursed for costs incurred after the date of termination.
- 4.4 If, during the term of this MOU, funds derived from Redevelopment Property Tax Trust Fund (aka RPTTF) or such other funds appropriated for the purposes of this MOU are reduced or eliminated, the ACO may immediately terminate this MOU upon written notice to the EO.
- 4.5. **Method of Payment.** The ACO shall pay the EO through the RPTTF apportionments completed in January and May of each year. Payment will be made based on a cost reimbursement basis for actual costs incurred as substantiated by mutually agreed upon documentation.
- 4.6 Compensation may be reduced or withheld in the event that EO fails to comply with the provisions or performance required in this MOU, or does not perform in accordance with the terms of this MOU. Prior to enforcement of this Subsection 4.6, the ACO shall give the EO detailed written notice of such failure to comply or perform. If such failure to comply or perform is reasonably capable of being cured within 3 working days, the EO shall have such period to effect a cure prior to enforcement of this Subsection 4.6; provided, however, if 3 working days is insufficient time to cure, the EO shall have such additional time as is reasonably necessary prior to enforcement of this Subsection by the ACO.
- 4.7 Reimbursement for services provided shall occur (in January and May) from the RPTTF distribution for approved expenses incurred and claimed by the EO. In a timely manner, following the prior period of service, EO shall submit a claim for payment for the reporting period, in a format acceptable to the ACO. The semi-annual claim will be sent to: Pam Elias, Chief Accountant, Auditor-Controller's Office, P. O. Box 1326, Riverside, CA 92501-1326.

- 4.8 A payment for approved claims shall be processed by the ACO in a timely manner, after receipt of a claim for reimbursement from the EO.
- 4.9 The EO shall not use current year funds to pay prior or future year obligations.
- 4.10 Funds made available under this MOU shall not supplant any federal, state or any governmental funds intended for services of the same nature as this MOU. The EO shall not claim reimbursement or payment from the ACO for, or apply sums received from, the ACO with respect to that portion of its obligations which have been paid by another source of revenue. The EO shall not use funds received pursuant to this MOU, either directly or indirectly, as a contribution or compensation for purposes of obtaining funds from another revenue source without prior written approval of the ACO.

Section 5. Audit

5.1 All records pertaining to service delivery and all fiscal, statistical and management books and records shall be available for examination and audit by ACO staff and State representatives. The aforementioned records shall be retained by the EO in accordance with the County's record retention policy, any applicable state record retention policy, or until all pending County and State audits are completed, whichever is later. Records of the EO which do not pertain to the services under this MOU shall not be subject to review or audit unless otherwise provided in this MOU. Technical program data shall be retained locally and made available upon the ACO's reasonable advance written notice or turned over to the ACO. All inspections and evaluations shall be performed in such a manner as will not unduly delay the work of the EO.

5.2 If a post MOU audit finds that funds reimbursed to the EO under this agreement were in excess of actual costs or in excess of claimed costs (depending upon State of California reimbursement/audit policies) of furnishing the services, the difference shall be reimbursed on demand by the EO to the ACO using one of the following methods, which shall be at the election of the ACO:

- a) Payment of total; or
- b) Payment on a semi-annual schedule of reimbursement.

Section 6. Authorized Representatives and Notices

6.1. The following individuals and their successors are designated by the ACO and EO as the authorized representatives of the two Parties for implementation of this MOU, and all correspondence and notices required by this MOU shall be considered given when made

in writing and delivered, mailed, or emailed with confirmed receipt to these representatives of the Parties at the following addresses:

Auditor-Controller

Name: Pam Elias
Title: Chief Accountant
Address: 4080 Lemon St., Riverside, CA
92501
Phone: (951) 955-3800
Email: Pelias@rivco.org

Name: Khahn Truong
Title: Supervising Accountant
Address: 4080 Lemon St., Riverside, CA
92501
Phone: (951) 955-3800
Email: Ktruong@rivco.org

Executive Office

Name: Ivan Chand
Title: Deputy County Executive Officer
Address: 4080 Lemon St., Riverside, CA
92501
Phone: (951) 955-1110
Email: ichand@rivco.org

Name: Imelda Delos Santos
Title: Senior Management Analyst
Address: 4080 Lemon St., Riverside, CA
92501
Phone: (951) 955-1110
Email: idelossantos@rivco.org

With a Copy to:

Jhaila R. Brown
County of Riverside
Office of County Counsel
3960 Orange Street, Suite 500
Riverside, CA 92501
(951) 955-6300
Jhbrown@rivco.org

Section 7. General Terms

It is further mutually agreed by the Parties as follows:

7.1 Legal Authority

Nothing in this MOU binds the ACO or EO to perform any action that is beyond its legal authority.

7.2 Conflict of Interest

No member, official or employee of the County of Riverside, shall have any personal interest, direct or indirect, in this MOU nor shall any such member, official or employee participate in any decision relating to this MOU which affects his or her personal interest or the interests of any corporation, partnership or association in which he or she is directly or indirectly interested.

7.3 Interpretation, Governing Law, Severability and Venue

This MOU and any dispute arising hereunder shall be governed and interpreted in accordance with the laws of the State of California. This MOU shall be construed as a whole according to its fair language and common meaning to achieve the objectives and purposes of the Parties hereto, and the rule of construction to the effect that ambiguities are to be resolved against the drafting party shall not be employed in interpreting this MOU, all Parties having been represented by counsel in the negotiation and preparation hereof.

7.4 No Third-Party Beneficiaries

This MOU is made and entered into for the sole protection and benefit of the Parties hereto and shall not create any rights in any third Parties, including, but not limited to any successor agency within the County of Riverside, or any State agency or department. No other person or entity shall have any right of action based upon the provisions of this MOU.

7.5 Section Headings

The Section headings herein are for the convenience of the Parties only and shall not be deemed to govern, limit, modify or in any manner affect the scope, meaning or intent of the provisions or language of this MOU.

7.6 Compliance with Laws and Regulations

By executing this MOU, the ACO and the EO agree to comply with all applicable federal, state and local laws, regulations and ordinances.

7.7 Waiver

Failure by a party to insist upon the strict performance of any of the provisions of this MOU by the other party, or the failure by a party to exercise its rights upon the default of the other party, shall not constitute a waiver of such party's right to insist and demand strict compliance by the other party with the terms of this MOU thereafter.

7.8 Severability

Each paragraph and provision of this MOU is severable from each provision, and in the event any provision in this MOU is held by a court of competent jurisdiction to be invalid, void, or unenforceable, the remaining provisions will nevertheless continue in full force without being impaired or invalidated in any way.

7.9 Authority to Execute

The persons executing this MOU or exhibits attached hereto on behalf of the Parties to this MOU hereby warrant and represent that they have the authority to execute this MOU and warrant and represent that they have the authority to bind the respective Parties to this MOU to the performance of its obligations hereunder.

7.10 Amendments and Modifications

It is agreed that the rights, interests, understandings, agreements and obligations of the respective Parties pertaining to the subject matter of this MOU may not be amended, modified or supplemented in any respect except by a subsequent written instrument evidencing the express written consent of each of the Parties hereto and duly executed by the Parties.

7.11 Assignment

EO shall not delegate or assign any interest in this MOU, and shall not transfer any interest in the same, whether by operation of law or otherwise, without the prior written consent of ACO.

7.12 Administration/MOU Liaison

The Auditor Controller, or designee, shall administer this MOU on behalf of the ACO. The County Executive Officer, or designee, shall administer this MOU on behalf of the EO.

7.13 Entire MOU

This MOU is intended by the Parties hereto as a final expression of their understanding with respect to the subject matter hereof and as a complete and exclusive statement of the terms and conditions thereof and supersedes any and all prior and contemporaneous agreements and understandings, oral or written, in connection therewith. Any amendments to or clarification of this MOU shall be in writing and acknowledged by all Parties to the MOU.


[Remainder of Page Intentionally Blank]

[Signatures on Following Page]

IN WITNESS WHEREOF, the Parties hereto have caused this MOU to be executed by their designated representatives on the dates set forth below.

“ACO”

**COUNTY OF RIVERSIDE, Office of
the Auditor-Controller**

By: 
PAUL ANGULO, CPA, M.A.
Riverside County Auditor-Controller

Date: May 2, 2018

APPROVED AS TO FORM:
GREGORY PRIAMOS
COUNTY COUNSEL

By: 
Jhaila R. Brown,
Deputy County Counsel

“EO”

COUNTY OF RIVERSIDE, Executive Office

By: 

Name: IVAN M. CHAND

Its: Deputy CEO

Date: 05/02/2018

APPROVED AS TO FORM:
GREGORY PRIAMOS
COUNTY COUNSEL

By: 
Dale A. Gardner, Deputy County Counsel

EXHIBIT A
TIME CHARGE SCHEDULE SUMMARY
(behind this page)

Exhibit A - Time Charge Schedule Summary

**FY 17/18 OVERSIGHT BOARD CONSOLIDATION (OBC) STAFFING
 REIMBURSEMENT SUMMARY**

	OBC Billing Hours	Calculated Hourly Rate*	Total Cost to be Reimbursed
Employee 1			
Employee 2			
Employee 3			
TOTAL		0.0	0.0

Other Miscellaneous Expenses:

Description/Date	Mileage Claimed	Miscellaneous	Total
	0.0	-	-
	0.0	-	-
	0.0	-	-
TOTAL	0.0	0.0	0.0
GRAND TOTAL			0.0

*Includes Employee hourly pay rate, employer paid benefits/taxes, and current indirect cost rate of 49.69%

FY 18: Pay Periods that include 7/01/17 - 6/30/18

Accounting string for reimb.	Fund	DeptID	Account	Debit	Credit
	10000			\$ -	
	10000				\$ -

EXHIBIT B

TIME CHARGE SCHEDULE DETAIL

(behind this page)

West's Annotated California Codes

Health and Safety Code (Refs & Annos)

Division 24. Community Development and Housing (Refs & Annos)

Part 1.85. Dissolution of Redevelopment Agencies and Designation of Successor Agencies (Refs & Annos)

Chapter 4. Oversight Boards (Refs & Annos)

West's Ann.Cal.Health & Safety Code § 34179

§ 34179. Composition of oversight board; appointment of members; review of oversight board action; fiduciary responsibilities; number of oversight boards in each county

Effective: September 22, 2015

Currentness

(a) Each successor agency shall have an oversight board composed of seven members. The members shall elect one of their members as the chairperson and shall report the name of the chairperson and other members to the Department of Finance on or before May 1, 2012. Members shall be selected as follows:

(1) One member appointed by the county board of supervisors.

(2) One member appointed by the mayor for the city that formed the redevelopment agency.

(3)(A) One member appointed by the largest special district, by property tax share, with territory in the territorial jurisdiction of the former redevelopment agency, which is of the type of special district that is eligible to receive property tax revenues pursuant to Section 34188.

(B) On or after the effective date of this subparagraph, the county auditor-controller may determine which is the largest special district for purposes of this section.

(4) One member appointed by the county superintendent of education to represent schools if the superintendent is elected. If the county superintendent of education is appointed, then the appointment made pursuant to this paragraph shall be made by the county board of education.

(5) One member appointed by the Chancellor of the California Community Colleges to represent community college districts in the county.

(6) One member of the public appointed by the county board of supervisors.

(7) One member representing the employees of the former redevelopment agency appointed by the mayor or chair of the board of supervisors, as the case may be, from the recognized employee organization representing the largest number of former redevelopment agency employees employed by

the successor agency at that time. In the case where city or county employees performed administrative duties of the former redevelopment agency, the appointment shall be made from the recognized employee organization representing those employees. If a recognized employee organization does not exist for either the employees of the former redevelopment agency or the city or county employees performing administrative duties of the former redevelopment agency, the appointment shall be made from among the employees of the successor agency. In voting to approve a contract as an enforceable obligation, a member appointed pursuant to this paragraph shall not be deemed to be interested in the contract by virtue of being an employee of the successor agency or community for purposes of Section 1090 of the Government Code.

(8) If the county or a joint powers agency formed the redevelopment agency, then the largest city by acreage in the territorial jurisdiction of the former redevelopment agency may select one member. If there are no cities with territory in a project area of the redevelopment agency, the county superintendent of education may appoint an additional member to represent the public.

(9) If there are no special districts of the type that are eligible to receive property tax pursuant to Section 34188, within the territorial jurisdiction of the former redevelopment agency, then the county may appoint one member to represent the public.

(10) If a redevelopment agency was formed by an entity that is both a charter city and a county, the oversight board shall be composed of seven members selected as follows: three members appointed by the mayor of the city, if that appointment is subject to confirmation by the county board of supervisors, one member appointed by the largest special district, by property tax share, with territory in the territorial jurisdiction of the former redevelopment agency, which is the type of special district that is eligible to receive property tax revenues pursuant to Section 34188, one member appointed by the county superintendent of education to represent schools, one member appointed by the Chancellor of the California Community Colleges to represent community college districts, and one member representing employees of the former redevelopment agency appointed by the mayor of the city if that appointment is subject to confirmation by the county board of supervisors, to represent the largest number of former redevelopment agency employees employed by the successor agency at that time.

(11) Each appointing authority identified in this subdivision may, but is not required to, appoint alternate representatives to serve on the oversight board as may be necessary to attend any meeting of the oversight board in the event that the appointing authority's primary representative is unable to attend any meeting for any reason. If an alternate representative attends any meeting in place of the primary representative, the alternate representative shall have the same participatory and voting rights as all other attending members of the oversight board.

(b) The Governor may appoint individuals to fill any oversight board member position described in subdivision (a) that has not been filled by May 15, 2012, or any member position that remains vacant for more than 60 days.

(c) The oversight board may direct the staff of the successor agency to perform work in furtherance of the oversight board's and the successor agency's duties and responsibilities under this part. The successor agency shall pay for all of the costs of meetings of the oversight board and may include such

costs in its administrative budget. Oversight board members shall serve without compensation or reimbursement for expenses.

(d) Oversight board members are protected by the immunities applicable to public entities and public employees governed by Part 1 (commencing with Section 810) and Part 2 (commencing with Section 814) of Division 3.6 of Title 1 of the Government Code.

(e) A majority of the total membership of the oversight board shall constitute a quorum for the transaction of business. A majority vote of the total membership of the oversight board is required for the oversight board to take action. The oversight board shall be deemed to be a local entity for purposes of the Ralph M. Brown Act,¹ the California Public Records Act,² and the Political Reform Act³ of 1974. All actions taken by the oversight board shall be adopted by resolution.

(f) All notices required by law for proposed oversight board actions shall also be posted on the successor agency's Internet Web site or the oversight board's Internet Web site.

(g) Each member of an oversight board shall serve at the pleasure of the entity that appointed such member.

(h)(1) The department may review an oversight board action taken pursuant to this part. Written notice and information about all actions taken by an oversight board shall be provided to the department as an approved resolution by electronic means and in a manner of the department's choosing. Without abrogating the department's authority to review all matters related to the Recognized Obligation Payment Schedule pursuant to Section 34177, oversight boards are not required to submit the following oversight board actions for department approval:

(A) Meeting minutes and agendas.

(B) Administrative budgets.

(C) Changes in oversight board members, or the selection of an oversight board chair or vice chair.

(D) Transfers of governmental property pursuant to an approved long-range property management plan.

(E) Transfers of property to be retained by the sponsoring entity for future development pursuant to an approved long-range property management plan.

(2) An oversight board action submitted in a manner specified by the department shall become effective five business days after submission, unless the department requests a review of the action. Each

oversight board shall designate an official to whom the department may make those requests and who shall provide the department with the telephone number and e-mail contact information for the purpose of communicating with the department pursuant to this subdivision. Except as otherwise provided in this part, in the event that the department requests a review of a given oversight board action, it shall have 40 days from the date of its request to approve the oversight board action or return it to the oversight board for reconsideration and the oversight board action shall not be effective until approved by the department. In the event that the department returns the oversight board action to the oversight board for reconsideration, the oversight board shall resubmit the modified action for department approval and the modified oversight board action shall not become effective until approved by the department. If the department reviews a Recognized Obligation Payment Schedule, the department may eliminate or modify any item on that schedule prior to its approval. The county auditor-controller shall reflect the actions of the department in determining the amount of property tax revenues to allocate to the successor agency. The department shall provide notice to the successor agency and the county auditor-controller as to the reasons for its actions. To the extent that an oversight board continues to dispute a determination with the department, one or more future Recognized Obligation Payment Schedules may reflect any resolution of that dispute. The department may also agree to an amendment to a Recognized Obligation Payment Schedule to reflect a resolution of a disputed item; however, this shall not affect a past allocation of property tax or create a liability for any affected taxing entity.

(i) Oversight boards shall have fiduciary responsibilities to holders of enforceable obligations and the taxing entities that benefit from distributions of property tax and other revenues pursuant to Section 34188. Further, the provisions of Division 4 (commencing with Section 1000) of the Government Code shall apply to oversight boards. Notwithstanding Section 1099 of the Government Code, or any other law, any individual may simultaneously be appointed to up to five oversight boards and may hold an office in a city, county, city and county, special district, school district, or community college district.

(j) Except as specified in subdivision (q), commencing on and after July 1, 2018, in each county where more than one oversight board was created by operation of the act adding this part, there shall be only one oversight board, which shall be staffed by the county auditor-controller, by another county entity selected by the county auditor-controller, or by a city within the county that the county auditor-controller may select after consulting with the department. Pursuant to Section 34183, the county auditor-controller may recover directly from the Redevelopment Property Tax Trust Fund, and distribute to the appropriate city or county entity, reimbursement for all costs incurred by it or by the city or county pursuant to this subdivision, which shall include any associated startup costs. However, if only one successor agency exists within the county, the county auditor-controller may designate the successor agency to staff the oversight board. The oversight board is appointed as follows:

(1) One member may be appointed by the county board of supervisors.

(2) One member may be appointed by the city selection committee established pursuant to Section 50270 of the Government Code. In a city and county, the mayor may appoint one member.

(3) One member may be appointed by the independent special district selection committee established pursuant to Section 56332 of the Government Code, for the types of special districts that are eligible to receive property tax revenues pursuant to Section 34188.

(4) One member may be appointed by the county superintendent of education to represent schools if the superintendent is elected. If the county superintendent of education is appointed, then the appointment made pursuant to this paragraph shall be made by the county board of education.

(5) One member may be appointed by the Chancellor of the California Community Colleges to represent community college districts in the county.

(6) One member of the public may be appointed by the county board of supervisors.

(7) One member may be appointed by the recognized employee organization representing the largest number of successor agency employees in the county.

(k) The Governor may appoint individuals to fill any oversight board member position described in subdivision (j) that has not been filled by July 15, 2018, or any member position that remains vacant for more than 60 days.

(l) Commencing on and after July 1, 2018, in each county where only one oversight board was created by operation of the act adding this part, then there will be no change to the composition of that oversight board as a result of the operation of subdivision (j).

(m) Any oversight board for a given successor agency, with the exception of countywide oversight boards, shall cease to exist when the successor agency has been formally dissolved pursuant to Section 34187. A county oversight board shall cease to exist when all successor agencies subject to its oversight have been formally dissolved pursuant to Section 34187.

(n) An oversight board may direct a successor agency to provide additional legal or financial advice than what was given by agency staff.

(o) An oversight board is authorized to contract with the county or other public or private agencies for administrative support.

(p) On matters within the purview of the oversight board, decisions made by the oversight board supersede those made by the successor agency or the staff of the successor agency.

(q)(1) Commencing on and after July 1, 2018, in each county where more than 40 oversight boards were created by operation of the act adding this part, there shall be five oversight boards, which shall each be staffed in the same manner as specified in subdivision (j). The membership of each oversight board shall be as specified in paragraphs (1) through (7), inclusive, of subdivision (j).

(2) The oversight boards shall be numbered one through five, and their respective jurisdictions shall encompass the territory located within the respective borders of the first through fifth county board of supervisors districts, as those borders existed on July 1, 2018. Except as specified in paragraph (3), each oversight board shall have jurisdiction over each successor agency located within its borders.

(3) If a successor agency has territory located within more than one county board of supervisors' district, the county board of supervisors shall, no later than July 15, 2018, determine which oversight board shall have jurisdiction over that successor agency. The county board of supervisors or their designee shall report this information to the successor agency and the department by the aforementioned date.

(4) The successor agency to the former redevelopment agency created by a county where more than 40 oversight boards were created by operation of the act adding this part, shall be under the jurisdiction of the oversight board with the fewest successor agencies under its jurisdiction.

Credits

(Added by Stats.2011-2012, 1st Ex.Sess., c. 5 (A.B.26), § 7, eff. June 29, 2011, operative Feb. 1, 2012. Text reformed per California Redevelopment Assn. v. Matosantos (2011) 135 Cal.Rptr.3d 683, 53 Cal.4th 231. Amended by Stats.2012, c. 26 (A.B.1484), § 16, eff. June 27, 2012; Stats.2015, c. 325 (S.B.107), § 11, eff. Sept. 22, 2015.)

Footnotes

1

See Government Code § 54950 et seq.

2

See Government Code § 6250 et seq.

3

See Government Code § 81000 et seq.

West's Ann. Cal. Health & Safety Code § 34179, CA HLTH & S § 34179

Current with urgency legislation through Ch. 26, also including Chs. 51 and 55 of 2017 Reg.Sess

End of Document

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STATE OF CALIFORNIA - THE RESOURCES AGENCY
DEPARTMENT OF FISH AND GAME
ENVIRONMENTAL FILING FEE CASH RECEIPT

Receipt #: 18-68480

State Clearinghouse # (if applicable): _____

Lead Agency: RIVERSIDE COUNTY E.D.A. Date: 03/07/2018

County/Agency of Filing: RIVERSIDE Document No: E-201800236

Project Title: RIVERSIDE COUNTY AUDITOR CONTROLLER AND EXECUTIVE OFFICE,

Project Applicant Name: RIVERSIDE COUNTY E.D.A. Phone Number: (951) 955-6685

Project Applicant Address: P.O. BOX 1180, RIVERSIDE, CA 92502

Project Applicant: LOCAL PUBLIC AGENCY

CHECK APPLICABLE FEES:

- Environmental Impact Report
- Negative Declaration
- Application Fee Water Diversion (State Water Resources Control Board Only)
- Project Subject to Certified Regulatory Programs
- County Administration Fee
 - Project that is exempt from fees (DFG No Effect Determination (Form Attached))
 - Project that is exempt from fees (Notice of Exemption)

\$0.00

Total Received \$50.00

Signature and title of person receiving payment:  Deputy

Notes:

2/27/18 3.11



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County of Riverside
Peter Aidana
Assessor-County Clerk-Recorder

E-201800236
03/07/2018 04:07 PM Fee: \$ 50.00
Page 1 of 2

Removed: By: Deputy


NOTICE OF EXEMPTION

March 7, 2018

Project Name: Riverside County Auditor Controller and Executive Office, Adopt Resolution No. 2018-037 Selecting the County Executive Office to Staff the Consolidated Oversight Board and Approval of the Memorandum of Understanding between the County Auditor-Controller's Office and the County Executive Office, Riverside County

Project Number: FM051047

Project Locations: Countywide

Description of Project: Pursuant to the Dissolution Act, the County of Riverside is required to wind down the affairs of the agency in accordance with the direction of each successor agency's oversight board. In accordance with Health and Safety Code Section 34179 (j), commencing on and after July 1, 2018, the County of Riverside shall have one consolidated oversight board (Consolidated Oversight Board). In addition, the Consolidated Oversight Board shall be staffed in the manner specified in Health and Safety Code Section 34179 (j), which authorizes staffing by the county auditor-controller, by another county entity selected by the county auditor-controller, or by a city within the county that the county auditor-controller may select. California Health and Safety Code Section 34179 is attached hereto in its entirety.

The County Auditor-Controller's Office (ACO) recommends the Board of Supervisors select the County's Executive Office (EO), a County entity, to staff the Consolidated Oversight Board, including start-up activities. Subject to Board approval, the EO has agreed to staff the Countywide Consolidated Oversight Board as requested. The selection of the EO to staff the Consolidated Oversight Board is set forth in the attached Resolution No. 2018-037 a Resolution Selecting the County of Riverside Executive Office to Staff the County of Riverside Consolidated Oversight Board Pursuant to Health and Safety Code Section 34179 (j).

The proposed Memorandum of Understanding (MOU) between the ACO and EO for the staffing of the Consolidated Oversight Board sets forth the terms and conditions associated with services, cost, and other roles and responsibilities of the parties. The MOU has an initial five year term, with one year automatic renewals, unless terminated earlier by the parties. The adoption of the Resolution for the execution of an MOU between the ACO and EO to staff the Consolidated Oversight Board is identified as the proposed Project under the California Environmental Quality Act (CEQA). The proposed Project would involve a contractual obligation to carry out the terms of the Dissolution Act and no physical changes or expansion would occur with the execution and implementation of the agreements. No additional direct or indirect physical environmental impacts are anticipated.

Name of Public Agency Approving Project: County of Riverside

Name of Person or Agency Carrying Out Project: County of Riverside Executive Office and Auditor Controller's Office

Exempt Status: State CEQA Guidelines, Section 15061(b) (3), General Rule or "Common Sense" Exemption.

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