

TO: James L. App, City Manager
FROM: Jim Throop, Administrative Services Director
SUBJECT: **Redevelopment Funds - County Office of Education Facility**
DATE: July 21, 2009

NEEDS: For the Redevelopment Agency to consider allocating funds held in trust for the San Luis Obispo County Superintendent of Schools to assist in the construction of a facility.

- FACTS:**
1. Section 33445 of the California Health and Safety Code allows for a Redevelopment Agency to pay for all or part of the construction of any facility that is publicly owned within a project area if it is found that:
 - The buildings, facilities, structures, or other improvements are of benefit to the project area or the immediate neighborhood in which the project is located;
 - No other reasonable means of financing the buildings, facilities, structures, or other improvements are available to the community; and
 - The cost of building the facilities, structure, or other improvements will assist in the elimination of one or more blighting conditions inside the project area.
 2. The 1987 agreement between The Redevelopment Agency and the San Luis Obispo County Superintendent of Schools, provides that certain property taxes shall be paid into a trust fund to be used by the Superintendent for public facilities that benefit the Project Area (as determined by the City Council, the Agency, and the Superintendent).
 3. On June 2, 2009 the San Luis Obispo County Office of Education formally requested funds from the trust account to aid in financing a facility for the First Five Commission in the Oak Park area. The \$240,000.00 in the trust fund would be used to assist in the construction of:
 - Preschool classrooms
 - Playground and parking
 - Library & parent education space
 - Support Offices
 4. The First Five Facility will be located on the northwest corner of Oak and 36th Street, and will provide early childhood (pre) school readiness programs.
 5. Redevelopment funds may be use to fund this facility provided hearings are held by the Agency, the City Council, and the County Office of Education to determine that the provisions of Health and Safety Code Section 33445 are met.

ANALYSIS &

CONCLUSION: The First Five Facility will provide early childhood school readiness programs to preschool aged children within the community. The project will assist in the redevelopment and revitalization of the Oak and 36th Street area, and in doing so further the goals of the Paso Robles Redevelopment Plan and Project Area.

The County Office of Education has no other means to finance the project. It has sought other funds including Community Development Block Grant funding. The Facility is expected to cost approximately \$2.5 million.

Pursuant to the 1987 agreement between the Paso Robles Redevelopment Agency and the San Luis Obispo Superintendent of Schools, and in accordance with Health and Safety Code section 33445, the Agency possesses the authority and policy basis to release the funds held in trust for the Superintendent to assist in the construction of the County Office of Education's First Five Facility.

POLICY

REFERENCE: Community Redevelopment Law (Section 33445 of the Health and Safety Code); 1987 Agreement between the Redevelopment Agency of the City of El Paso de Robles and the San Luis Obispo County Superintendent of Schools regarding Alleviation of Financial Burden or Detriment

FISCAL

IMPACTS: The funds are in a trust account thus there will be no fiscal impact on the City or Redevelopment Agency.

OPTIONS: Redevelopment Agency

After public testimony, the Redevelopment Agency:

- a. Adopt attached Agency Resolution making certain findings, and approving use of funds within the trust established for the Superintendent of Schools for the construction of the County Office of Education's Facility.
- b. Amend, modify, or reject the above options.

City Council

- a. Adopt Resolution making certain findings, and approving use of funds from the trust established for the Superintendent of Schools for the construction of the County Office of Education's Facility.
- b. Amend, modify, or reject the above options.

Attachments:

- 1. Agency Resolution No.09-XXX to Approving Use of Redevelopment Funds to Help Finance SLOCOE's First Five Facility
- 2. City Council Resolution No. 09-XXX to Approving Use of Redevelopment Funds to Help Finance the SLOCOE's First Five Facility
- 3. Notice of Public Hearing
- 4. Summary Regarding Proposed First Five Facility
- 5. Letter of funding request and project diagram

REDEVELOPMENT AGENCY RESOLUTION NO. 09-XXX

RESOLUTION OF THE REDEVELOPMENT AGENCY OF THE CITY OF EL PASO DE ROBLES MAKING CERTAIN FINDINGS REGARDING THE USE OF REDEVELOPMENT FUNDS FOR THE CONSTRUCTION OF A COUNTY OFFICE OF EDUCATION FIRST FIVE FACILITY

WHEREAS, pursuant to the Community Redevelopment Law of the State of California (Health and Safety Code Section 3300 et seq.), the Redevelopment Agency of the City of El Paso de Robles (Agency) is carrying out the Redevelopment Plan for the Paso Robles Project Area (Project Area); and

WHEREAS, in order to alleviate the financial burden or detriment arising out of the City of El Paso de Robles Redevelopment Plan the Agency entered into an agreement with the San Luis Obispo County Superintendent of Schools wherein the parties agreed that the Agency would set up a trust in which certain property taxes would be placed, and from which the Superintendent of Schools could draw in order to use such funds for public facilities benefiting the Project Area after the requisite public hearings held by the City Council of the City, the Agency, and the Superintendent were had; and

WHEREAS, pursuant to Section 33445 of the Health and Safety Code, the Agency is authorized, with the consent of the City Council and upon making certain findings, to pay all or part of the value of the land for and the cost of installation and construction of any building, facility, structure or other improvements which are publicly owned, either within or outside the Redevelopment Project Area, upon a determination by the Agency and City Council that such buildings, facilities, structures or other improvements are of benefit to the Redevelopment Project or the immediate area in which the Redevelopment Project is located, that no other reasonable means of financing such buildings, facilities, structures, or other improvements are available to the community, and that the payment of funds for the cost of such buildings, facilities, structures or other improvements will assist in the elimination of one or more blighting conditions inside the project area, and is consistent with the Agency's Five-Year Implementation Plan as proposed to be amended; and

WHEREAS, the San Luis Obispo County Office of Education has made a formal request to withdraw such funds from the trust account in order to help finance the construction of a First Five Facility for the County Office of Education within the Project Area at Oak and 36th Street in the city of El Paso de Robles, for which three preschool classrooms, a library building, and a building for offices and parent education along with playgrounds and parking areas will be built in order to provide childhood school readiness programs to the children and surrounding community; and

WHEREAS, the approximately \$240,000.00 within the trust account established for the Superintendent of School's use would be put towards the cost of constructing the First Five Facility, which would serve the entire community.

NOW, THEREFORE, BE IT RESOLVED by the Redevelopment Agency of the City of El Paso de Robles as follows

Section 1. The Agency hereby finds and determines that the First Five Facility will be of benefit to the Project Area. These findings and determinations are based on the fact that the Facility will provide childhood school readiness programs to the children of the community, thus preparing them for their academic futures, and because the Facility will be located within the Project Area.

Section 2. The Agency further finds and determines that there are no other reasonable means of financing the Facility. These findings and determinations are based on the fact that the County Office of Education has informed the Agency that it has no other means to finance the Facility and that it has sought other funds to pay for other costs of the project, such as Community Development Block Grant funds.

Section 3. The Agency finally finds and determines that the First Five Facility, and payment of the funds within the trust account to the County Office of Education, will assist in the elimination of one or more blighting conditions inside the Project Area. These findings and determinations are based on the fact that the Facility will allow the Oak and 36th Street area to be redeveloped and revitalized in accordance with the City of El Paso de Robles Redevelopment Plan, and because the Facility will be located within the Project Area.

Section 4. The Agency hereby approves the use of all the redevelopment funds that are held in trust for the San Luis Obispo County Superintendent of Schools, approximately \$240,000.00, to be used to help fund the construction of the First Five Facility for the County Office of Education.

DULY AND REGULARLY ADOPTED by the Redevelopment Agency of the City of El Paso de Robles this July 21, 2009.

AYES:

NOES:

ABSENT:

ABSTAIN:

APPROVED: _____
John Hamon, Chair

ATTEST: _____
Cathy David, Deputy City Clerk

RESOLUTION NO. 09-XXX

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EL PASO DE ROBLES MAKING CERTAIN FINDINGS REGARDING THE USE OF REDEVELOPMENT FUNDS FOR THE CONSTRUCTION OF A FIRST FIVE FACILITY WITHIN THE REDEVELOPMENT PROJECT AREA

WHEREAS, pursuant to the Community Redevelopment Law of the State of California (Health and Safety Code Section 33000 et seq.), the City Council of the City of El Paso de Robles (City Council) is carrying out the Redevelopment Plan for the Paso Robles Project Area (Project Area); and

WHEREAS, in order to alleviate the financial burden or detriment arising out of the City of El Paso de Robles Redevelopment Plan the Agency (the "Agency") entered into an agreement with the San Luis Obispo County Superintendent of Schools wherein the parties agreed that the Agency would set up a trust in which certain property taxes would be placed, and from which the Superintendent of Schools could draw in order to use such funds for public facilities benefiting the Project Area after the requisite public hearings held by the City Council of the City, the Agency, and the Superintendent were had; and

WHEREAS, pursuant to Section 33445 of the Health and Safety Code, the Agency is authorized, with the consent of the City Council and upon making certain findings, to pay all or part of the value of the land for and the cost of installation and construction of any building, facility, structure or other improvements which are publicly owned, either within or outside the Redevelopment Project Area, upon a determination by the Agency and City Council that such buildings, facilities, structures or other improvements are of benefit to the Redevelopment Project or the immediate area in which the Redevelopment Project is located, that no other reasonable means of financing such buildings, facilities, structures, or other improvements are available to the community, and that the payment of funds for the cost of such buildings, facilities, structures or other improvements will assist in the elimination of one or more blighting conditions inside the project area, and is consistent with the Agency's Five-Year Implementation Plan as proposed to be amended; and

WHEREAS, the San Luis Obispo County Office of Education has made a formal request to withdraw such funds from the trust account in order to help finance the construction of a First Five Facility for the County Office of Education within the Project Area at Oak and 36th Street in the city of El Paso de Robles, for which three preschool classrooms, a library building, and a building for offices and parent education along with playgrounds and parking areas will be built in order to provide childhood school readiness programs to the children and surrounding community; and

WHEREAS, the approximately \$240,000.00 within the trust account established for the Superintendent of School's use would be used to help pay for the cost of constructing the First Five Facility, which would serve the entire community.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of El Paso de Robles as follows

Section 1. The City Council hereby finds and determines that the First Five Facility will be of benefit to the Project Area. These findings and determinations are based on the fact that the Facility will provide childhood school readiness programs to the children of the community, thus preparing them for their academic futures, and the Facility will be located within the Project Area.

Section 2. The City Council further finds and determines that there are no other reasonable means of financing the Facility. These findings and determinations are based on the fact that the County Office of Education has informed the City Council that it has no other means to finance the Facility and that it has sought other funds to pay for other costs of the project, such as Community Development Block Grant funds.

Section 3. The City Council finally finds and determines that the First Five Facility, and payment of the funds within the trust account to the County Office of Education, will assist in the elimination of one or more blighting conditions inside the Project Area. These findings and determinations are based on the fact that the Facility will allow the Oak and 36th Street area to be redeveloped and revitalized in accordance with the City of El Paso de Robles Redevelopment Plan, and because the Facility will be located within the Project Area.

Section 4. The City Council hereby approves the use of all the redevelopment funds that are held in trust for the San Luis Obispo County Superintendent of Schools, approximately \$240,000.00, to be used to help fund the construction of the First Five Facility for the County Office of Education.

DULY AND REGULARLY ADOPTED by the City Council of the City of El Paso de Robles this July 21, 2009.

AYES:

NOES:

ABSENT:

ABSTAIN:

APPROVED: _____
Duane Picanco, Mayor

ATTEST: _____
Cathy David, Deputy City Clerk

PROOF OF PUBLICATION

LEGAL NEWSPAPER NOTICES

PLANNING COMMISSION/CITY COUNCIL
PROJECT NOTICING


Newspaper: Tribune

Date of
Publication: July 7, 2009

Hearing
Date: July 21, 2009
(City Council & Redevelopment Agency)

Project: Regarding the use of Redevelopment
Trust Account Funds for the Construction
of a new First Five Facility

I, Lonnie Dolan, employee of the Community
Development Department, Planning Division, of the City
of El Paso de Robles, do hereby certify that this notice is
a true copy of a published legal newspaper notice for the
above named project.

Signed: 
Lonnie Dolan

forms/newsaffi.691

NOTICE OF JOINT PUBLIC HEARING OF THE REDEVELOPMENT AGENCY OF THE CITY OF EL PASO DE ROBLES AND THE COUNCIL OF THE CITY OF EL PASO DE ROBLES REGARDING THE USE OF REDEVELOPMENT TRUST ACCOUNT FUNDS FOR THE CONSTRUCTION OF A NEW FIRST FIVE FACILITY

NOTICE IS HEREBY GIVEN that the Redevelopment Agency of the City of El Paso de Robles (the "Agency") and the Council of the City of El Paso de Robles (the "Council") will hold a joint public hearing on July 21, 2009, at or after 7:30 p.m. in the Paso Robles City Hall located at 1000 Spring Street, Paso Robles, CA 93446.

The purpose of the public hearing is to consider whether the Agency may use the redevelopment funds held in trust for the San Luis Obispo County Superintendent of Schools to help pay for the construction of a new First Five Facility (the "Facility") for the County Office of Education, to be located at the corner of Oak and 36th Street in the City of El Paso de Robles, California. The Facility would provide early childhood school readiness programs for the whole community.

Copies of a summary (the "Summary") pertaining to the proposed use of the funds held in trust by the Agency to help pay for the construction of the Facility are on file for public inspection and copying for the cost of duplication at the office of the Agency, City Hall, 1000 Spring Street Paso Robles, California 93446, and at the office of the City Clerk, City Hall, 1000 Spring Street Paso Robles, California 93446, California, between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday, exclusive of holidays.

Written communications on the matter may be addressed to: City of Paso Robles, ATTN: Jim Throop, Director, Administrative Services Department, 821 Pine Street, Suite A, Paso Robles, CA 93446.

For further information, please contact: Jim Throop, Director, Administrative Services Department, at the above address, or via phone at (805) 237-3999, or via email at jthroop@prcity.com.

Ed Gallagher, City Planner
July 7, 14, 2009

6829191

SUMMARY PERTAINING TO THE USE OF REDEVELOPMENT FUNDS FOR THE PROPOSED FIRST FIVE FACILITY

I. Introduction

This Summary is compiled in compliance with the California Community Redevelopment Law (Health and Safety Code Section 33000 *et seq.*), and Section 33679 of the Health and Safety Code, which provides in part that before an agency commits to use a portion of taxes to be allocated and paid to an agency pursuant to subdivision (b) of Section 33670 for the purpose of paying all or part of the value of the land for, and the cost of the installation and construction of, any publicly owned building, other than parking facilities, the legislative body shall hold a public hearing. Section 33679 also provides that there shall be available for public inspection and copying a summary which includes all of the following:

- (a) Estimates of the amount of such taxes proposed to be used to pay for such land and construction of any publicly owned building, including interest payments.
- (b) Sets forth the facts supporting the determinations required to be made by the legislative body pursuant to Section 33445 of the Health and Safety Code.
- (c) Sets forth the redevelopment purpose for which such taxes are being used to pay for the land and construction of such publicly owned building.

The Redevelopment Agency of the City of El Paso de Robles (Agency) entered into an agreement with the San Luis Obispo County Superintendent of Schools on December 14, 1987, to alleviate the financial burden caused by the adoption of the Redevelopment Plan. The Agreement calls for certain property taxes to be placed in a trust fund (the "Trust Fund") by the Agency and for such funds to be used by the Superintendent of Schools for public facilities that are of benefit to the Project Area, as determined by the City Council of the City, the Agency, and the Superintendent after the requisite public hearings are held on the matter.

The San Luis Obispo County Office of Education has formally requested that the funds that have been collecting in the trust account be drawn out and given to the Office of Education, pursuant to their agreement with the Agency, so that such funds may be used towards the construction and development of a County Office of Education First Five Facility.

The proposed facility would consist of three preschool classrooms, a library building, and a building for offices and parent education, in addition to a playgrounds and parking areas. For the community, the facility will provide early childhood school readiness programs in order to prepare the community's youth for their academic future. The facility would be located on the corner of Oak and 36th Street in the City of Paso Robles, within the Project Area set forth by the Paso Robles Redevelopment Plan.

This Summary sets forth some of the details of the proposed use of funds.

II. Estimated Funds Proposed to be Used to Pay for Construction of the First Five Facility

The Trust Fund currently has approximately \$240,000.00. There will be no additional fiscal impact to the community with respect to these funds. These funds represent a portion of the total cost of the First Five Facility.

III. Findings

Pursuant to Health and Safety Code Section 33445, the Agency, the City Council, and the County Office of Education must find the following before the funds in the trust account may be used to finance the First Five Facility:

A. Construction of the Facility is of Benefit to the Project Area

The new Facility will benefit the Project Area by providing childhood school readiness programs and in doing so prepare the area's children for their academic future. Additionally, the Facility is located within the Project Area itself and is, therefore, presumed to benefit it.

B. No Other Means of Financing the Facility Are Available to the Community

The County Office of Education has informed the Agency that it has no other means of financing the First Five project, and it has additionally sought other funds to pay the costs of the project, such as Community Development Block Grant funds.

C. The Payment of Funds for the Facility Will Assist in the Elimination of Blight and is Consistent with the Implementation Plan

The construction of the First Five Facility and its playgrounds will assist in the redevelopment and revitalization of the blighted Oak and 36th Street area, and in doing so further the goals and guidelines of the Paso Robles Redevelopment Plan.

IV. The Redevelopment Purpose for Which Tax Increment Funds Are Being Used to Pay for the Construction of the First Five Facility

Approval of the use of the funds within the trust account contemplates that public improvements and facilities will be provided to alleviate the blighted conditions in the Project Area.

As defined in Sections 33020 and 33021 of the Health and Safety Code, redevelopment includes the provision of such public structures as are appropriate or necessary in the interest of the general welfare. Section 33445 of the Health and Safety Code provides that an agency may, with the consent of the legislative body, pay all or part of the value of the land for and the cost of the installation and construction of publicly-owned facilities either within or outside the project area, if the findings listed above are made. The use of the funds to pay for the County Office of

Education's First Five Facility is justified because it will provide for the educational advancement of the area's children, and will provide new facilities and new, usable outdoor space within the Project Area. Beneficial results of the project will be experienced not only by the children within the community, but by the community as a whole.



May 22, 2009

James Throop
City of El Paso de Robles
1000 Spring Street
Paso Robles, CA 93446

RE: Funding for First 5 Project from Cumulative Set Aside in Tax Increment Revenues

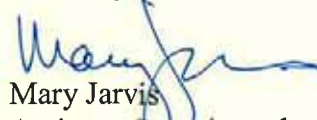
Dear Mr. Throop,

This is a formal request for release of funds for the Paso Robles First 5 Family Center. The First 5 Preschool/School Readiness/Library project, when completed, will not only correct blighting conditions as described in the Paso Robles Redevelopment Implementation Plan, but will provide to the community the following resources, all located across from Georgia Brown Elementary School:

- three preschool classrooms
- a playground designed and developed as an “outdoor classroom”
- library
- office space for preschool staff
- street parking

The funding is important for completion of the design work and site preparation for placement on the site of relocatable buildings, owned by the County Office of Education. A color schematic is attached for your reference. Please let me know of any questions you may have. The County Office of Education is pleased to partner with the City of Paso Robles in this very worthwhile project.

Sincerely,



Mary Jarvis
Assistant Superintendent for Business Services

cc: Julian D. Crocker, San Luis Obispo County Superintendent of Schools

March 2009



San Luis Obispo County Office of Education
First 5 Pre-School and Paso Robles Library
Paso Robles, CA

March 30, 2009

