

TO: James L. App, City Manager

FROM: Ron Whisenand, Community Development Director

SUBJECT: Ordinance to Amend Fiscal Year 10/11 Budget to Appropriate Redevelopment Low and Moderate Income Housing Funds for the Hidden Creek Village affordable housing project

DATE: July 20, 2010

Needs: For the City Council to adopt an ordinance to amend the Fiscal Year 10/11 Budget to appropriate Redevelopment Low and Moderate Income Housing (LMIH) Funds for the Hidden Creek Village affordable housing project.

Facts:

1. At its meeting of April 20, 2010, the Redevelopment Agency adopted Resolution RA 10-03 approving a Participation Agreement with South River Road Associates to allocate up to \$1 million in LMIH funds to assist in the construction costs for the 81 unit Hidden Creek Village Project at 80 S. River Road.
2. Appropriations of LMIH funds must be effectuated via an ordinance amending the budget for the present fiscal year.
3. The act of appropriation places the funds in the appropriate account in the budget. It does not authorize release of funds. Release of funds will be accomplished only when the applicants have completed the requirements of the Participation Agreement.

Analysis and Conclusion: Public discussions have already been conducted on the appropriation of LMIH funds for both of these projects. The attached ordinance amending the Fiscal Year 10/11 Budget is the required form of appropriation for LMIH funds.

Policy Reference: Redevelopment Plan

Fiscal Impact: No impact to the General Fund.

Options:

- a. Introduce for first reading the attached ordinance amending the Fiscal Year 2010/2011 Budget for the Redevelopment Low and Moderate Income Housing Fund, and set August 3, 2010 as the date for adoption of said ordinance.
- b. Amend, modify or reject the foregoing option.

Attachment: Ordinance Amending the Redevelopment Budget

ED\OAK PARK\SENIOR HOUSING 2001\REDEV BUDGET CCR 072010

ORDINANCE NO. _____ N.S.

AN ORDINANCE OF THE CITY OF EL PASO DE ROBLES
AMENDING CHAPTER 3.40 REVENUE AND FINANCE OF THE MUNICIPAL CODE
TO MODIFY THE FISCAL YEAR 2010/2011 BUDGET FOR THE
REDEVELOPMENT AGENCY OF THE CITY OF EL PASO DE ROBLES

The City Council of the City of El Paso de Robles, State of California, does hereby ordain as follows:

SECTION 1. That a budget amendment, for the Redevelopment Low and Moderate Income Housing (LMIH) Fund, in the amounts, and for the purposes set forth below, for the Redevelopment Agency of the City of El Paso de Robles for the fiscal year commencing July 1, 2010 and ending June 30, 2011 is hereby approved and adopted for said fiscal year.

- a. \$1 million as authorized by Redevelopment Agency Resolution RA 10-003 and the Participation Agreement to be executed in accordance with said resolution, to be used for offsetting City development impact fees for Hidden Creek Village, budget account number 701-810-5235-245 in return for technical assistance to the City of Paso Robles in affordable housing matters; and

SECTION 2. That the budget amendment for expenditures as proposed shall be and become appropriated to the Agency for the respective objects and purposes therein set forth below, subject to expenditures pursuant to the provisions of all applicable statutes of this State.

SECTION 3. That the Agency hereby finds and determines:

- a. That the proposed budget amendment is for a Redevelopment activity consistent with California Health and Safety Code Section 33678 in that they are for carrying out the Redevelopment Project and related development activities, as defined in California Health and Safety Code Sections 33020 and 33021, and primarily benefit the Redevelopment Project.
- b. That the proposed budget amendment is for the purposes of increasing, improving, and preserving the community's supply of low- and moderate-income housing pursuant to California Health and Safety Code Section 33334.2.
- c. That none of the funds are to be used for the purposes of paying for employee or for contractual services for the City of El Paso de Robles or any other local government agency, except for such services which are directly related to Redevelopment activities as defined in California Health and Safety Code Sections 33020 and 33021 and the powers established in Community Redevelopment Law.

SECTION 4. That the appropriation and expenditure of funds shall be consistent with the terms as established by cooperative agreement between the Redevelopment Agency of the City of El Paso de Robles and the City of El Paso de Robles per Agency and City adopting implementing resolutions.

SECTION 5. Publication. The City Clerk shall cause this ordinance to be published once within fifteen (15) days after its passage in a newspaper of general circulation, printed, published and circulated in the City in accordance with Section 36933 of the Government Code.

SECTION 6. Effective date. This ordinance shall go into effect and be in full force and effect at 12:01 a.m. on the 31st day after its passage.

SECTION 7. Inconsistency. To the extent that the terms of provisions of this Ordinance may be inconsistent or in conflict with the terms or conditions of any prior City ordinance(s), motion, resolution, rule or regulation governing the same subject, the terms of this Ordinance shall prevail with respect to the subject matter thereof and such inconsistent and conflicting provisions of prior ordinances, motions, resolutions, rules and regulations are hereby repealed.

SECTION 8. Severability. If any section, subsection, sentence, clause, or phrase of this Ordinance is, for any reason, found to be invalid or unconstitutional, such finding shall not affect the remaining portion of this Ordinance.

The City Council hereby declares that it would have passed this ordinance by section, subsection, sentence, clause or phrase irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases are declared invalid or unconstitutional.

Introduced at a regular meeting of the City Council held on July 20, 2010, and passed and adopted by the City Council of the City of El Paso de Robles on the 3rd day of August, 2010, by the following roll call vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST:

Duane Picanco, Mayor

Caryn Jackson, Deputy City Clerk