

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

589



SUBMITTAL DATE:
July 3, 2007

FROM: Economic Development Agency

SUBJECT: Hillcrest Academy – Temecula

RECOMMENDED MOTION: That the Board of Supervisors conduct a public hearing and adopt Resolution No. 2007-348 approving the issuance of bonds by the California Statewide Community Development Authority for the Mountain Hillcrest Academy.

BACKGROUND: On April 23, 1996, the Board of Supervisors approved a Joint Exercise of Powers Agreement (the "Agreement") and, thereby, joined the California Statewide Communities Development Authority (the "Authority"). The Authority is authorized to assist in the financing and refinancing of facilities for 501(c)(3) nonprofits. Pursuant to Section 9 of the Agreement and Section 147(f) of the Internal Revenue Code of 1986, the member agencies must conduct a public hearing and approve the Authority's issuance of indebtedness for projects located in the member agency's jurisdiction.

Hillcrest Academy, a nonprofit corporation, has submitted an application to the Authority to finance the acquisition, construction, improvements and equipping of various education facilities on the campus located at 29275 Santiago Road in Temecula.
(continued on Page 2)

Departmental Concurrence

COUNTY COUNSEL

JUL 9 2007

Dale A. Gardner

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public hearing.doc

Robin Zimpfer
Robin Zimpfer
Assistant County Executive Officer/EDA

FINANCIAL DATA	Current F.Y. Total Cost:	\$ 0	In Current Year Budget:	N/A
	Current F.Y. Net County Cost:	\$ 0	Budget Adjustment:	N/A
	Annual Net County Cost:	\$ 0	For Fiscal Year:	N/A

COMPANION ITEM ON BOARD OF DIRECTORS AGENDA: No

SOURCE OF FUNDS: N/A

C.E.O. RECOMMENDATION: APPROVE

Positions To Be Deleted Per A-30	<input type="checkbox"/>
Requires 4/5 Vote	<input type="checkbox"/>

BY: *Jennifer L. Sargent*
Jennifer L. Sargent

County Executive Office Signature

Consent Policy

Consent Policy

Per Exec. Ofc.:

Per Exec. Ofc.:

Prev. Agn. Ref.:

0: 28

District: 3
COMB2
COM1A

Agenda Number:

9.5

BACKGROUND (continued):

Additionally, the applicant will use the bond proceeds to purchase properties located at 41910 C. Street and 29775 Santiago Road, both located within the City of Temecula, California.

It is recommended that the Board conduct the public hearing and approve the resolution approving the issuance of bonds for the project.

2
3 **RESOLUTION NO. 2007-348**

4 **RESOLUTION OF THE BOARD OF SUPERVISORS OF THE**
5 **COUNTY OF RIVERSIDE APPROVING THE ISSUANCE OF THE CALIFORNIA**
6 **STATEWIDE COMMUNITIES DEVELOPMENT AUTHORITY REVENUE BONDS**
7 **(HILLCREST ACADEMY PROJECT), SERIES 2007 IN AN AGGREGATE PRINCIPAL**
8 **AMOUNT NOT TO EXCEED \$5,000,000 FOR THE PURPOSE OF FINANCING AND**
9 **REFINANCING THE ACQUISITION, CONSTRUCTION, IMPROVEMENT AND**
10 **EQUIPPING OF VARIOUS EDUCATIONAL FACILITIES AND CERTAIN OTHER**
11 **MATTERS RELATING THERETO**

12 **WHEREAS**, the Hillcrest Academy, a California nonprofit public benefit
13 corporation (the "Corporation"), has requested that the California Statewide
14 Communities Development Authority (the "Authority") participate in the issuance of one
15 or more series of revenue bonds in an aggregate principal amount not to exceed
16 \$5,000,000 (the "Bonds") to (1) finance and/or refinance the acquisition, construction,
17 improvements and/or equipping of a classroom/administration building and various
18 buildings on the Corporation's campus located at 29275 Santiago Road, Temecula,
19 California, (2) finance the acquisition of land located at 41910 C Street, Temecula,
20 California, for the benefit of the Corporation's facilities, and/or (3) finance the acquisition
21 of land located at 29775 Santiago Road, Temecula, for the benefit of the Corporation's
22 facilities (collectively, the "Facilities") to be owned and operated by the Corporation and
23 located within the County of Riverside (the "County"); and

24 **WHEREAS**, pursuant to Section 147(f) of the Internal Revenue Code of
25 1986 (the "Code"), the issuance of the Bonds by the Authority must be approved by the
26 County because the Facilities are located within the territorial limits of the County; and

27 **WHEREAS**, the Board of Supervisors of the County (the "Board of
28 Supervisors") is the elected legislative body of the County and is one of the applicable

1 elected representatives required to approve the issuance of the Bonds under Section
2 147(f) of the Code; and

3 **WHEREAS**, the Authority has requested that the Board of Supervisors
4 approve the issuance of the Bonds by the Authority in order to satisfy the public
5 approval requirement of Section 147(f) of the Code and the requirements of Section 9 of
6 the Amended and Restated Joint Exercise of Powers Agreement, dated as of June 1,
7 1988 (the "Agreement"), among certain local agencies, including the County;

8 **WHEREAS**, the Authority is also requesting that the Board of Supervisors
9 approve the issuance of any refunding bonds hereafter issued by the Authority for the
10 purpose of refinancing the Bonds which financed the Facilities (the "Refunding Bonds"),
11 but only in such cases where federal tax laws would not require additional consideration
12 or approval by the Board of Supervisors; and

13 **WHEREAS**, pursuant to Section 147(f) of the Code, the Board of
14 Supervisors has, following notice duly given, held a public hearing regarding the
15 issuance of the Bonds, and now desires to approve the issuance of the Bonds by the
16 Authority;

17 **NOW, THEREFORE, BE IT RESOLVED**, by the Board of Supervisors of
18 the County of Riverside as follows:

19
20 **Section 1.** The Board of Supervisors hereby approves the issuance of
21 the Bonds and Refunding Bonds by the Authority. It is the purpose and intent of the
22 Board of Supervisors that this resolution constitute approval of the issuance of the
23 Bonds and Refunding Bonds by the Authority, for the purposes of (a) Section 147(f) of
24 the Code by the applicable elected representative of the issuer of the Bonds and the
25 governmental unit having jurisdiction over the area in which the Facilities are located, in
26 accordance with said Section 147(f) and (b) Section 9 of the Agreement.

27 **Section 2.** The officers of the County are hereby authorized and directed,
28 jointly and severally, to do any and all things and to execute and deliver any and all

1 documents which they deem necessary or advisable in order to carry out, give effect to
2 and comply with the terms and intent of this resolution and the financing transaction
3 approved hereby.

4 **Section 3.** This resolution shall take effect immediately upon its adoption.

5 PASSED AND ADOPTED by the Board of Supervisors of the County of
6 Riverside this 17th day of July, 2007.

7 AYES:
8 NOES:
9 ABSENT:

10
11
12 [SEAL]

13
14 Attest:

15
16 By: _____
17 Clerk of the Board of Supervisors

FORM APPROVED
COUNTY COUNSEL

JUL 9 2007

18 BY *Dee A. Gardner*
19 Dee A. Gardner