

RESOLUTION NO. 2022-003

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE PUBLIC
FINANCING AUTHORITY OF THE SANGER NORTH ACADEMY
CORRIDOR ENHANCED INFRASTRUCTURE FINANCING
DISTRICT ADOPTING BYLAWS**

WHEREAS, pursuant to Chapter 2.99 of Part 1 of Division 2 of Title 5 of the California Government code(commencing with Section 53398.50 (the EIFD Law) the City Council of the City of Sanger is authorized to initiate the process to establish an Enhanced Infrastructure Financing District; and

WHEREAS, the City Council pursuant to Resolution No. 2021-67 adopted on November 18, 2021, (Resolution of Intention) declared its intention to form the Public Financing Authority of the Sanger North Academy Enhanced Infrastructure Financing District (Sanger EIFD) and formed the Public Financing Authority of the Sanger EIFD as the governing body of the Sanger EIFD (the PFA); and

WHEREAS, the PFA Board of Directors is comprised of three members of the City Council and two members of the public; and

WHEREAS, the PFA now desires to adopt Bylaws.

NOW, THEREFORE, the Board of Directors of the Public Financing Authority of the Sanger North Academy Corridor Enhanced Infrastructure Financing District resolves as follows:

SECTION 1. The foregoing recitals are true and correct and incorporated by reference.

SECTION 2. The Board hereby adopts the Bylaws of the Public Financing Authority of the Sanger North Academy Corridor Enhanced Infrastructure Financing District as set forth in **Exhibit A** and incorporated herein by reference.

SECTION 3. This resolution is effective upon adoption.

CERTIFICATION

The foregoing Resolution was considered by the Board of Directors of the Public Financing Authority of the Sanger North Academy Corridor Enhanced Infrastructure Financing District at a regular meeting of said Board held on June 14, 2022, and adopted by the following vote:

AYES: ELI ONTIVEROS, DANIEL MARTINEZ, ESMERALDA HURTADO,
FRANK GONZALEZ, JAMES MISER

NOES:

ABSENT:

ABSTAIN:

ATTEST:



Secretary

EXHIBIT A

**BYLAWS OF THE PUBLIC FINANCING AUTHORITY OF THE
SANGER NORTH ACADEMY CORRIDOR ENHANCED
INFRASTRUCTURE FINANCING DISTRICT**

ARTICLE I – THE PUBLIC FINANCING AUTHORITY

Section 1. Name of Public Financing Authority. The name of the governing body for the Sanger North Academy Corridor Enhanced Infrastructure Financing District (EIFD) is the “Public Financing Authority of the Sanger North Academy Corridor Enhanced Infrastructure Financing District” (“Authority”).

Section 2. Participating Entities. The initial taxing entity participating in the Public Financing Authority is the City of Sanger (“City”).

Section 3. Purpose. The Public Financing Authority is a body formed and operating under Government Code Section 53398.50 *et seq.* The primary purpose of the Authority is to finance public facilities, remediation, affordable housing, and other projects as authorized under Government Code, Title 5, Div. 2, Part 1, Chapter 2.99 Enhance Infrastructure Financing District (Sections 53398.50 to 53398.88).

Section 4. Office. The office of the Public Financing Authority shall be at Sanger City Hall, 1700 7th Street, Sanger, California 93657.

ARTICLE II – GOVERNING BODY

Section 1. Membership. The Authority shall consist of a Board of Directors (collectively, the “Authority Board” or individually, “Directors”) comprised of three (3) members of the City Council of the City, and two (2) members of the public, chosen by the City Council. Members of the public with respect to the City shall be appointed by a majority vote of the Council and shall serve at the pleasure of the Council and until their successor assumes office.

Section 2. Additional Participating Entities. The composition of the Board of Directors shall be amended if an additional taxing entity agrees to participate in the EIFD.

Section 3. Board Authority. The Board of Directors shall be vested with all powers and authority as specified in California Government Code Section 53398.50 *et seq* and any other applicable statutes or regulations which may be adopted.

Section 4. Avoiding Conflicts of Interest. Each member of the Board of Directors shall comply with the reporting requirements of the Political Reform Act, Government Code Section 81000 *et seq* and its implementing regulations as adopted by the Fair Political Practices Commission.

Section 5. Authority Board Role and Compensation. The Authority Board is responsible for overall policy and direction of the District and delegates responsibility of day-to-day operations to staff of the City. Directors shall receive no compensation for their service on

the Authority Board, but may receive reimbursement for actual and necessary expenses incurred in the performance of their official duties pursuant to Section 53398.51.1(c) and “The Expense and Reimbursement Policy of the City of Sanger for Elected Officials.” The Policy is on file in the City of Sanger City Clerk’s Office and incorporated by reference.

Section 6. Vacancies. When a vacancy on the Authority Board exists, the Chair of the Authority Board shall notify the Sanger City Manager and request that a replacement be approved to fill the vacancy. Vacancies of public members shall be filled in compliance with Government Code Section 54974.

Section 7. Resignation. Resignation from the Authority Board should be in writing and received by the Secretary and delivered to the City Clerk of the City of Sanger.

ARTICLE III – OFFICERS

Section 1. Officers. The officers of the Public Financing Authority shall be a Chair, Vice-Chair, and Secretary.

Section 2. Chair. The Chair shall be the then current Mayor of the City of Sanger. The Chair shall preside at all meetings of the Public Financing Authority. The Chair shall sign resolutions, contracts, and other instruments made by the Public Financing Authority.

Section 3. Vice-Chair. The Vice-Chair shall be a member of the Board of Directors selected by the rest of the Board. The Vice-Chair shall perform the duties of the Chair in the absence or incapacity of the Chair.

Section 4. Secretary. The Secretary shall be the then current City Clerk of the City of Sanger or, in his/her absence, the Deputy City Clerk. The Secretary shall keep the records of the Public Financing Authority, shall act as Secretary of the meetings of the Board of Directors and record all votes, and shall keep a record of the proceedings of the Public Financing Authority in the form of minutes to be kept for such purpose, and shall perform all duties incident to the office of Secretary. The Secretary may attest to signatures of other officers of the Public Financing Authority.

Section 5. Executive Director. The Executive Director shall be the then current City Manager of the City of Sanger. The Executive Director and/or his/her designee(s) shall conduct day-to-day administration of the Public Financing Authority’s business and affairs, subject to the direction of the Board of Directors.

Section 6. Additional Duties. The officers of the Public Financing Authority shall perform such other duties and functions as may from time to time be required by the Public Financing Authority or these By-Laws or by resolution, rules, and regulations or by motion of the Board of Directors.

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ARTICLE IV – MEETINGS

Section 1. Regular Meetings. A regular meeting of the Board of Directors shall be held at the second Tuesday each month in 2022 and thereafter on the second Tuesday of the months of February, May, August, and November, at 6:00 PM

Section 2. Special Meetings. Special meetings may be called in accordance with the Ralph M. Brown Act.

Section 3. Location of Meetings. All meetings of the Board of Directors shall be held in the Council Chambers of Sanger City Hall, located at 1700 7th Street, Sanger, California 93657.

Section 4. Applicability of Ralph M. Brown Act. Meetings of the Public Financing Authority shall be held, notice given, and the business of the Public Financing Authority conducted, all as provided in the Ralph M. Brown Act, per Government Code Sections 54950 *et seq.*

Section 5. Quorum. Three (3) members of the Board of Directors shall constitute a quorum for the purpose of conducting its business, exercising its powers, and for all other legal purposes. A majority vote of the total membership of the Board of Directors is required for the Board of Directors to take action.

Section 6. Manner of Voting. The manner of voting on resolutions and on other matters shall be as prescribed by the Chair.

Section 7. Parliamentary Procedure. Except as provided herein, other rules adopted by the Board and applicable provisions of state law, the procedures of the Board will be guided by the latest revised edition of Robert's Rules of Order.

ARTICLE V – AMENDMENTS

Section 1. Amendments to Bylaws. The Bylaws of the Public Financing Authority may be amended by a majority vote of the Public Financing Authority Board of Directors.

ARTICLE VI – EXPENSES

Section 1. Expenses. All of the City expenses incurred in forming the EIFD and administering the EIFD may be paid by funds of the EIFD so long as such expenses are permitted under applicable laws.

(Secretary Certification on Next Page)

CERTIFICATION

The foregoing Bylaws of the Public Financing Authority of the Sanger North Academy Corridor Enhanced Infrastructure Financing District were approved at a meeting of the Authority Board by a majority vote on June 14, 2022.

Corena James
Secretary

6/14/2022
Date