



Special Meeting **AGENDA**

Civic Center Council Chamber ♦ 300 Seminary Avenue ♦ Ukiah, CA 95482
Register for Ukiah Financing Authority Meeting at:

<https://attendee.gotowebinar.com/rt/7799907307071655437>

After registering, you will receive a confirmation email containing information about joining the webinar. Alternatively, you may view the meeting (without participating) by clicking on the name of the meeting at www.cityofukiah.com/meetings.

May 20, 2020 - 6:00 PM

Meeting will begin at 6:00 p.m., or as soon as the meeting may be held in conjunction with the City Council meeting.

1. ROLL CALL AND PLEDGE OF ALLEGIANCE

2. AUDIENCE COMMENTS ON NON-AGENDA ITEMS

The City Council welcomes input from the audience. If there is a matter of business on the agenda that you are interested in, you may address the Council when this matter is considered. If you wish to speak on a matter that is not on this agenda, you may do so at this time. In order for everyone to be heard, please limit your comments to three (3) minutes per person and not more than ten (10) minutes per subject. The Brown Act regulations do not allow action to be taken on audience comments in which the subject is not listed on the agenda.

3. NEW BUSINESS

3.a. Consideration and Approval of a Resolution of the Governing Board of the Ukiah Public Financing Authority Declaring Officers, Directing the Filing of Certain Notices, and Providing for Other Matters.

Recommended Action: Board to adopt the subject Resolution.

Attachments:

1. PFA-Reso-01_First_Meeting_Draft_05-20-20

4. ADJOURNMENT

Please be advised that the City needs to be notified 72 hours in advance of a meeting if any specific accommodations or interpreter services are needed in order for you to attend. The City complies with ADA requirements and will attempt to reasonably accommodate individuals with disabilities upon request. Materials related to an item on this Agenda submitted to the City Council after distribution of the agenda packet are available for public inspection at the front counter at the Ukiah Civic Center, 300 Seminary Avenue, Ukiah, CA 95482, during normal business hours, Monday through Friday, 8:00 am to 5:00 pm.

I hereby certify under penalty of perjury under the laws of the State of California that the foregoing agenda was posted on the bulletin board at the main entrance of the City of Ukiah City Hall, located at 300 Seminary Avenue, Ukiah, California, not less than 72 hours prior to the meeting set forth on this agenda.

Kristine Lawler, City Clerk
Dated: 5/15/20



AGENDA SUMMARY REPORT

SUBJECT: Consideration and Approval of a Resolution of the Governing Board of the Ukiah Public Financing Authority Declaring Officers, Directing the Filing of Certain Notices, and Providing for Other Matters.

DEPARTMENT: Finance **PREPARED BY:** Dan Buffalo, Finance Director
PRESENTER: _____

ATTACHMENTS:

1. PFA-Reso-01_First_Meeting_Draft_05-20-20

Summary: The Ukiah Public Financing Authority shall appoint officers, set regular meeting dates, and direct the Executive Director to complete all required regulatory filings necessary to properly record the successful formation of the Authority.

Background: The City of Ukiah (the “City”) and the Industrial Development Authority of the City of Ukiah (the “IDA”) approved the formation of the Ukiah Public Financing Authority (the “Authority”) through the execution of a joint exercise of powers agreement, dated as of May 5, 2020 (the “JPA Agreement”).

Pursuant to the JPA Agreement, the Governing Board of the Authority desires to, among other things, appoint the balance of the initial officers to serve the Ukiah Public Financing Authority, set regular meeting dates and direct the Executive Director to complete all required regulatory filings necessary to properly record the successful formation of the Authority.

Discussion:

Resolution No. **PFA-19-01** (Attachment 1) does the following:

1. Appoints officers

Resolution PFA-2020-01 reaffirms the JPA Agreement, and provides that the officers of the Authority shall be the Chair, Vice Chair, Executive Director, Secretary and Treasurer. The Chair, Vice Chair, Executive Director, Treasurer and Secretary of the Authority shall be same individuals who are the Mayor, Vice Mayor, City Manager, Finance Director and City Clerk, respectively, of the City at any given point in time.

2. Directs the Executive Director to file required notices with the California Secretary of State

Resolution PFA-2020-01 directs the Executive Director to notify the Secretary of State of the formation of the Authority, and to file said notice, together with the appropriate filing fee, if any, within thirty days after the creation of the Authority in the manner set forth in Government Code Section 6503.5.

3. Directs the Executive Director to prepare and file the public agency roster for the Authority

The Resolution PFA-19-01 directs the Executive Director to prepare a public agency roster pursuant to Government Code Section 53051, and to file the same with the Secretary of State of the State of California and with the County Clerk of Mendocino County within seventy (70) days of the creation of the Authority.

4. Sets the time and place for regular Authority meetings

Under the JPA Agreement the regular meeting of the Governing Board of the Authority shall be held at the time and place of each regular meeting of the City Council of the City. In the event an agenda for a regular meeting of the Authority is not posted timely in accordance with the provisions of Section 54954.2 of the Government Code, such regular meeting is cancelled without any further action of the any Member, the Governing Board or any officer of the Authority. The Governing Board may hold special meetings at any time and from time to time in accordance with law. The first regular meeting of the Authority shall be held on June 3, 2020.

Recommended Action: Board to adopt the subject Resolution.

BUDGET AMENDMENT REQUIRED: N/A

CURRENT BUDGET AMOUNT: N/A


PROPOSED BUDGET AMOUNT: N/A

FINANCING SOURCE: N/A

PREVIOUS CONTRACT/PURCHASE ORDER NO.: N/A

COORDINATED WITH: N/A

Approved:


Sage Sangiacomo, City Manager

RESOLUTION NO. PFA-2020-01

A RESOLUTION OF THE GOVERNING BOARD OF THE UKIAH PUBLIC FINANCING AUTHORITY DECLARING OFFICERS, DIRECTING THE FILING OF CERTAIN NOTICES, AND PROVIDING FOR OTHER MATTERS RELATED THERETO

UKIAH PUBLIC FINANCING AUTHORITY

WHEREAS, the City of Ukiah (the “City”) and the Industrial Development Authority of the City of Ukiah, hereafter sometimes referred to as “Members,” have heretofore approved the formation of the Ukiah Public Financing Authority (the “Authority”) through the execution of a joint exercise of powers agreement, dated as of May 5, 2020 (the “JPA Agreement”); and

WHEREAS, pursuant to Section 4(b) of the JPA Agreement the Governing Board of the Authority (the “Governing Board”) shall be constituted of all of the individuals who, at any given time, are the sworn members of the City Council of the City; and

WHEREAS, pursuant to this Resolution and Section 4(d)(1) of the JPA Agreement, (i) the Governing Board is to be presided over by a Chair and Vice Chair who shall be the same individuals who are the Mayor and Vice Mayor, respectively, of the City at any given time, (ii) the City Manager of the City shall serve as the Executive Director of the Authority, (iii) the City Finance Director shall serve as the Treasurer of the Authority, and (iv) the City Clerk shall serve as the Secretary of the Authority; and

WHEREAS, Section 13 of the JPA Agreement sets forth the requirements for the accounting and reporting requirements of the Authority; and

WHEREAS, Section 6503.5 of the Government Code of the State of California requires the notification of the creation of a joint powers entity with the Secretary of State within thirty (30) days after said creation; and

WHEREAS, Section 53051 of the Government Code of the State of California requires the filing of a public agency roster with the Secretary of State and the county clerk of each county in which the public agency maintains an office within seventy (70) days after the creation of the public agency; and

WHEREAS, Section 6505.1 of the Government Code of the State of California requires the Treasurer to file an official bond;

NOW, THEREFORE, THE GOVERNING BOARD OF THE UKIAH PUBLIC FINANCING AUTHORITY DOES HEREBY FIND, ORDER AND DETERMINE AS FOLLOWS:

SECTION 1. The presiding officers of the Authority shall be same individuals who are the Mayor and Vice Mayor, respectively, of the City at any given point in time.

SECTION 2. The Executive Director, Treasurer and Secretary of the Authority shall be same individuals who are the City Manager, Finance Director and City Clerk, respectively, of the City at any given point in time.

SECTION 3. The Executive Director is hereby directed to prepare a public agency roster pursuant to Government Code Section 53051, which public agency roster shall be filed with the Secretary of State of the State of California and with the County Clerk of Mendocino County within ten (10) days of the date of adoption of this Resolution. Such a public agency roster shall include the following information:

- (1) The full legal name of the Authority.
- (2) The official mailing address of the Governing Board of the Authority.
- (3) The name and residence or business address of each member of the Governing Body of the Authority.

- (4) The name, title, and residence or business address of the Chair and Secretary of the Governing Body of the Authority.

Said roster shall be on a form prescribed by the Secretary of State.

The Executive Director is hereby further authorized and directed to file an amended public agency roster with the Secretary of State of the State of California and with the County Clerk of Mendocino County within ten (10) days after any change in the facts required to be stated pursuant to Government Code Section 53051.

SECTION 4. The Treasurer is directed to procure a bond in compliance with Government Code Section 6505.1.

SECTION 5. The Authority shall hold its first regular meeting on June 3, 2020, and thereafter regular meetings of the Authority will be held at the same time and place of each regular meeting of the City Council of the City. In the event an agenda for a regular meeting of the Authority is not posted timely in accordance with the provisions of Section 54954.2 of the Government Code, such regular meeting shall be automatically cancelled without any further action of the any Member, the Governing Board or any officer of the City or Authority. The Governing Board of the Authority may hold a special meeting at any time. Furthermore, the Governing Board of the Authority may, by resolution adopted at a regular or special meeting, declare that regular meetings occur at a date or dates, and at times, different from that set forth in this paragraph.

SECTION 6. The Authority is authorized, in its own name, to do all acts necessary or convenient for the exercise of its powers to the extent set forth in the JPA Agreement, including, but not limited to, any or all of the following: to sue and be sued; to make and enter into contracts; to employ agents, consultants, attorneys, accountants, and employees; to acquire, hold or dispose of property, whether real or personal, tangible or intangible, wherever located; to issue bonds (the "Bonds") or otherwise incur debts, liabilities or obligations to the extent authorized by the Chapter 5 of Division 7 of Title I of the California Government Code (the "Act") or any other applicable provision of law and to pledge any property or revenues or the rights thereto as security for such Bonds and other indebtedness. Notwithstanding the foregoing, the Authority shall have any additional powers conferred under the Act or under applicable law, insofar as such additional powers may be necessary to accomplish the purposes set forth in the JPA Agreement.

SECTION 7. This resolution shall take effect immediately upon its passage and adoption.

THE FOREGOING RESOLUTION WAS PASSED AND ADOPTED by the members of the Ukiah Public Financing Authority at its first meeting held on this May 20, 2020, by the following roll call vote:

- AYES:
- NOES:
- ABSENT
- ABSTAIN:

Douglas F. Crane, Chair

ATTEST:

Kristine Lawler, Secretary