

RESOLUTION NO. PFA-2020-01

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

CALIFORNIA MUNICIPAL PUBLIC FINANCING AUTHORITY

WHEREAS, the Byron Bethany Irrigation District (the “District”) and the Independent Cities Finance Authority, hereafter sometimes referred to as “Members,” have heretofore approved the formation of the California Municipal Public Financing Authority (the “Authority”) through the execution of a joint exercise of powers agreement, dated as of June 24, 2020 (the “JPA Agreement”); and

WHEREAS, pursuant to Section 4(b) of the JPA Agreement the Governing Board of the Authority (the “Governing Board”) desires to determine the composition of the inaugural Governing Board; and

WHEREAS, pursuant to this Resolution and Section 4(d) of the JPA Agreement the Governing Board desires to determine and appoint the officers of the Authority; and

WHEREAS, pursuant to Section 4(d) of the JPA Agreement the Governing Board desires to determine and appoint Bond Counsel and Disclosure Counsel for 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 CALIFORNIA MUNICIPAL PUBLIC FINANCING AUTHORITY DOES HEREBY FIND, ORDER AND DETERMINE AS FOLLOWS:

SECTION 1. It is hereby determined that the inaugural Governing Board shall consist of (i) _____ serving as the Chair, (ii) _____ serving as the Vice-Chair, (iii) _____ serving as Director of the Board, (iv) _____ serving as a Director of the Board, and (v) _____

_____ serving as a Director of the Board.

SECTION 2. It is hereby determined that the officers of the Authority shall be the Chair, Vice-Chair, Manager, Secretary and Treasurer. _____ shall serve as the Treasurer, _____ shall serve as the Secretary, which officers shall serve until such time as a successor to such office is elected by the Board. California Municipal Advisor LLC shall serve as the Authority's Manager (the "Manager") and Municipal Advisor and shall also have charge of the day-to-day administration of the Authority and shall execute the directives of the Board. The Weist Law Firm shall serve as the Authority's Bond Counsel and Disclosure Counsel.

SECTION 3. The Manager 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 each requisite 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 Manager 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 each requisite 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 regular meetings on the first and third Thursdays of each month, unless otherwise provided in the By-Laws of the Authority adopted by the Board (the "By-Laws"); provided, however, that at least one regular meeting shall be held each year. 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 any Member or the 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 California Municipal Public Financing Authority at its first meeting held on this August 4, 2020, by the following roll call vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Chair

ATTEST:

Secretary