

METRO AIR PARK ENHANCED INFRASTRUCTURE FINANCING DISTRICT
PUBLIC FINANCING AUTHORITY
700 H STREET, SUITE 3650
SACRAMENTO, CALIFORNIA 95814-1280
OFFICE (916) 874-8252

BOARD OF DIRECTORS:

PHIL SERNA, DIRECTOR
SUE FROST, DIRECTOR
DON NOTTOLI, DIRECTOR
MATTHEW KEASLING, DIRECTOR
MICHAEL WHIPPLE, DIRECTOR

FLORENCE EVANS, SECRETARY
AMANDA THOMAS, EXECUTIVE DIRECTOR/TREASURER

AGENDA

OCTOBER 6, 2021 AT 1:00 PM
700 H STREET, 1ST FLOOR, HEARING ROOM NO. 1
SACRAMENTO, CA 95814

-And-

TELEPHONE CONFERENCE
(Members may participate via teleconference)

PUBLIC COMMENT PROCEDURES

In compliance with directives of the County, State, and Centers for Disease Control and Prevention (CDC), this meeting is live stream and closed to public attendance. Meeting procedures are subject to change pursuant to guidelines related to social distancing and minimizing person-to-person contact.

Live Meeting Comment

Sign up to make a public comment during a live meeting. Registration opens when the agenda is posted 72-hours prior to the meeting date. Dial (916) 875-2501 to provide contact information. On the day of the meeting, callers will be contacted by phone and transferred to the meeting to make a comment on a specific agenda item or off-agenda item. Callers may sign up until public comments are closed for a specific item, respectively.

Written Comment

- Send an email comment to Boardclerk@saccounty.net. Include meeting date and agenda item number or off-agenda item. Contact information is optional.

- Mail a comment to 700 H Street, Suite 2450, Sacramento, CA 95814. Include meeting date and agenda item number or off-agenda item. Contact information is optional.
- Written comments are distributed to members and filed the record.

VIEW MEETING

The meeting will be streamed live through BlueJeans Events. Members of the public may watch and/or listen to the meeting as follows:

Audio from a PC: <https://primetime.bluejeans.com/a2m/live-event/tucwekqj>

Audio from a mobile device: <https://primetime.bluejeans.com/a2m/live-event/tucwekqj> (Enter Event ID Code: **tucwekqj**)

Teleconference (audio only) dial: (415) 466-7000 (Enter PIN Code: **9646642#**)

MEETING MATERIAL

The online version of the agenda and associated material is available at <http://sccob.saccounty.net> (click "Public Meetings" and "Metro Air Park Enhanced Infrastructure Financing District Public Financing Authority"). Some documents may not be posted online because of size or format limitations. Contact the Clerk's Office at (916) 874-5411 for arrangements to obtain copies of documents.

ACCOMODATIONS

Requests for accommodations pursuant to the Americans with Disabilities Act (ADA) should be made with the Clerk's Office by telephone at (916) 874-5411 (voice) and CA Relay Services 711 (for the hearing impaired) or email at BoardClerk@saccounty.net prior to the meeting.

ROLL CALL

PLEDGE OF ALLEGIANCE

AGENDA ITEMS

1. Nomination Of Chairperson And Vice Chairperson
2. Approval Of Bylaws
3. Adoption Of The Conflict Of Interest Code

4. Adoption Of The Resolution For Teleconference Meetings

5. Designate And Direct The County Engineer To Prepare And Distribute The Infrastructure Financing Plan And Other Required Documents And Set The Following Meeting Of The PFA To October 21, 2021 At 1:00 P.M.

6. Director Comments

7. Public Comments

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PUBLIC FINANCING AUTHORITY
700 H STREET, SUITE 3650
SACRAMENTO, CALIFORNIA 95814-1280
(916) 874-9039**

BOARD OF DIRECTORS:

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MICHAEL WHIPPLE, DIRECTOR**

**FLORENCE EVANS, SECRETARY
AMANDA THOMAS, EXECUTIVE DIRECTOR/TREASURER**

For the Agenda of:
October 6, 2021
1:00 p.m.

To: Board of Directors,
Metro Air Park Enhanced Infrastructure Financing District Public
Financing Authority

From: Amanda Thomas,
Executive Director/Treasurer

Subject: Nomination And Selection Of Chairperson And Vice Chairperson

RECOMMENDATION:

Nominate and elect Chairperson and Vice Chairperson of the Metro Air Park Enhanced Infrastructure Financing District Public Financing Authority (the Authority).

BACKGROUND:

Nominations for the Chair person and Vice Chair in order to identify the person that would manage the meetings of the Authority.

FINANCIAL ANALYSIS:

There is no financial impact associated with this recommended action.

Respectfully submitted,

Amanda Thomas
Authority Executive Director/Treasurer

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**FLORENCE EVANS, SECRETARY
AMANDA THOMAS, EXECUTIVE DIRECTOR/TREASURER**

For the Agenda of:
October 6, 2021
1:00 p.m.

To: Board of Directors,
Metro Air Park Enhanced Infrastructure Financing District
Public Financing Authority

From: Amanda Thomas,
Executive Director/Treasurer

Subject: Adopt A Resolution To Enact The Bylaws Of The Metro Air Park
Enhanced Infrastructure Financing District Public Financing
Authority

RECOMMENDATION:

Adopt a Resolution of the Board of Directors of the Metro Air Park Enhanced Infrastructure Financing District Public Financing Authority that enacts the bylaws of the Public Financing Authority as proposed.

BACKGROUND:

On April 20, 2001, the Sacramento County Board of Supervisors approved the resolution of intention (Resolution No. 2021-0211) to form the Metro Air Park Enhanced Infrastructure Financing District (EIFD). This resolution also established the Public Financing Authority (PFA) as the governing board for the EIFD.

Adopt A Resolution To Enact The Bylaws Of The Metro Air Park Enhanced
Infrastructure Financing District Public Financing Authority
Page 2 of 2

As this board is created subject to the Ralph M. Brown Act, the California Public Records Act, and the Political Reform Act of 1974, and as such it should adopt bylaws.

FINANCIAL ANALYSIS:

There is no financial impact associated with this recommended action.

Respectfully submitted,

Amanda Thomas
Authority Executive Director/Treasurer

Attachments Item 2:

Resolution
ATT 1 – Bylaws

**METRO AIR PARK ENHANCED INFRASTRUCTURE
PUBLIC FINANCING AUTHORITY**

RESOLUTION NO.

**RESOLUTION TO ENACT THE BYLAWS OF THE METRO AIR PARK
ENHANCED INFRASTRUCTURE FINANCING DISTRICT PUBLIC
FINANCING AUTHORITY**

WHEREAS, on April 20, 2021 the Board of Supervisors of the County of Sacramento adopted its Resolution of Intention to establish the Metro Air Park (MAP) Enhanced Infrastructure Financing District (EIFD) (Resolution 2021-0211) and establishing the Public Financing Authority (PFA) as the governing board for the EIFD; and

WHEREAS, the PFA is created subject to the Ralph M. Brown Act, the California Public Records Act, and the Political Reform Act of 1974, and consequently should adopt bylaws as part of its establishment,

BE IT RESOLVED that the PFA Board approve the Bylaws of the Metro Air Park Enhanced Infrastructure Financing District Public Finance Authority.

On a motion by Director _____, seconded by Director _____, the foregoing Resolution was passed and adopted by the Board of Directors of the Metro Air Park Enhanced Infrastructure Financing District Public Finance Authority on October 6, 2021, by the following vote, to wit:

AYES: Directors,

NOES: Directors,

ABSENT: Directors,

ABSTAIN: Directors,

RECUSAL: Directors,

(PER POLITICAL REFORM ACT (§ 18702.5).)

Chair of the Board of Directors,
Public Finance Authority

ATTEST: _____
Clerk, Board of Supervisors

BYLAWS OF**Metro Air Park Enhanced Infrastructure Financing
District Public Finance Authority**

ARTICLE I — NAME AND PURPOSE

Section 1 — Name: The name of the governing body for the County of Sacramento Metro Air Park Enhanced Infrastructure Financing District (the "District") shall be the Metro Air Park Enhanced Infrastructure Financing District Public Financing Authority (Authority). The District is a legally constituted local governmental entity separate and distinct from the County of Sacramento (the "County"), subject to the Ralph M. Brown Act (open meeting laws), as well as the California Public Records Act and Political Reform Act of 1974. The District was established for the sole purpose of financing public facilities or other projects as authorized by Chapter 2.99 of the California Government Code.

Section 2 — Purpose: The District is organized exclusively for implementing the County of Sacramento Metro Air Park Enhanced Infrastructure Financing Plan (the "Plan") if and to the extent such Plan is prepared and adopted, and as such Plan may be amended from time to time, in each case pursuant to Sections 53398.59 – 53398.74 of the Government Code.

ARTICLE II — MEMBERSHIP

Section 1 — Membership: The Authority shall consist of a Board of Directors (collectively, the "Authority Board" or individually, "Directors") comprised of three members of the County Board of Supervisors and two members of the public as chosen by the County Board of Supervisors.

Section 2 — Alternates: County Supervisors appointed to the Authority Board may designate, in writing submitted to the Chair of the Authority Board, a Deputy or other official in that Supervisor's District Office to act for him or her and represent him or her at all meetings of the Authority Board.

Section 3 — 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. 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) of the Government Code.

Section 4 — Vacancies: When a vacancy on the Board exists, the Chair of the Authority Board shall notify the Chair of the County Board of Supervisors and request that a replacement be approved by the Board of Supervisors to fill the vacancy.

Section 5 — Resignation, termination, and absences: Resignation from the Authority Board must be in writing and received by the Secretary. A Director

shall be terminated from the Authority Board due to excessive absences, defined as more than two unexcused absences from Authority Board meetings in a year. A Director may be removed for other reasons by a three-fourths vote of the remaining Directors.

ARTICLE III - MEETINGS

Section 1 — Meetings and notice: The Authority Board shall meet at least annually, at an agreed upon time and place, for the purpose of adopting an annual report on or before June 30 of each year after the initial year of formation of the District as well as adopting the budget for the following year.

Section 2 — Quorum: A majority of the total membership of the Authority Board constitutes a quorum for the transaction of business. No act of the Authority Board shall be valid or binding unless a majority of all the Directors is present. The abstention or recusal of a Director who is nonetheless present for discussion and voting on an item shall not affect the presence of a quorum.

Section 3 — Special meetings: Special meetings of the Authority Board shall be called upon the written request of the Chair, or three-fifths of the Authority Board. Notices of special meetings shall be sent out by the Secretary to each Director at least two weeks in advance.

Section 4 — Robert's Rules: The rules contained in the current edition of *Robert's Rules of Order Newly Revised* shall govern the Authority Board meetings in all cases to which they are applicable and in which they are not inconsistent with these bylaws and any applicable federal, State and local laws, including but not limited to, the Ralph M. Brown Act. Failure to follow the parliamentary rules of procedures as prescribed in *Robert's Rules of Order Newly Revised* shall not invalidate any action taken by the Authority Board.

Section 5 — Public Participation: Members of the public may address the Authority Board on a particular agenda item or during public comment by submitting a written request to Authority Board staff. A person requesting to address the Authority Board will be allowed a total of two (2) minutes per item. The Chair may, in his or her sole discretion, subject to action by a majority of the Authority Board, choose to limit or expand public testimony as necessary to ensure the Authority Board's ability to conduct its business in a reasonably efficient manner.

ARTICLE IV - OFFICERS

Section 1 — Officers and Duties: There shall be two Officers of the Authority Board, consisting of a Chair, and the Vice-Chair. Their duties are as follows:

- *The Chair* shall convene regularly scheduled Authority Board meetings, shall preside or arrange for the Vice-Chair to preside at each meeting.
- *The Vice-Chair* shall chair meetings as identified by the Chair

Section 2 — Terms: The Chair and Vice Chair shall serve one-year terms, and are eligible for re-appointment at each annual meeting.

Section 3 — Chair and Vice Chair Elections: During the annual meeting, the Authority Board shall elect the Chair and Vice Chair to replace those whose terms will expire at the end of the fiscal year. This election shall take place during a regular meeting of the Authority Board, called in accordance with the provisions of these bylaws.

Section 4 — Election procedures: Officers shall be elected by a majority of Directors present at a meeting of the Authority Board, provided there is a quorum present.

The Chair and Vice Chair so elected shall begin serving a term beginning on the first day of the next fiscal year.

Section 5 — Vacancies: When a vacancy in the Chair or Vice Chair positions occurs, the Chair or Vice Chair of the Authority Board shall call an election to fill the vacancy at the next meeting of the Authority Board, provided there is a quorum present. An officer so elected shall serve for the remainder of the term of the Officer who vacated the position.

Section 6 — Endorsements: Subject to the provisions of applicable law, any note, mortgage, evidence of indebtedness, contract, conveyance or other instrument in writing and any assignment or endorsement thereof approved by the Authority Board to be executed or entered into between the Authority Board and any other person, when signed by an Officer, shall be valid and binding on the Authority Board in the absence of actual knowledge on the part of the other person that the signing officers had no authority to execute the same. Any such instruments may be signed by any other person or persons and in such manner as from time to time shall be determined by resolution of the Authority Board, and, unless so authorized by the Authority Board, no officer, agent or employee shall have any power or authority to bind the Authority Board or the District by any contract or engagement or to pledge its credit or to render it liable for any purpose or amount.

ARTICLE V — COMMITTEES

Section 1 — Committee formation: The Authority Board may create committees as needed to carry out the purposes of the Authority. The Chair appoints all committee chairs.

Section 2 — Committee Duties: Committees may not act on behalf of the Authority Board, but rather must submit any findings or recommendations in writing to the Authority Board. Upon submission, the conclusions of a committee may be considered for action by the Authority Board. To the extent possible, the Authority Board shall designate avenues for public participation in committee meetings.

ARTICLE VI - DIRECTOR AND STAFF

Section 1- Executive Director / Treasurer: The Chief Fiscal Officer of the County is the Executive Director and the Treasurer of the Authority Board and may designate other County staff to act in their place as needed.

Section 2 - Executive Director / Treasurer Responsibilities: Under the direction of the Authority Board, the Executive Director has day-to-day responsibilities for the organization, including carrying out the organization's goals as incorporated into the Plan should it be adopted by the Directors. The Executive Director will attend all Board meetings, report on the progress of the organization, and answer questions of the Directors with regard to the ongoing progress of the District. The Executive Director / Treasurer shall be responsible for keeping the accounting records of the Authority and of the District including preparation of the Annual Reports to be presented to the Authority Board. The Authority Board can designate other duties as necessary.

Section 3 – The Secretary: The Secretary shall be the County Clerk of the Board and may designate other County staff as needed.

Section 4 – Secretary Responsibilities: The Secretary shall be responsible for keeping records of Authority Board actions, including overseeing the taking of minutes at all Authority Board meetings, distributing meeting announcements, distributing copies of minutes and the agenda to each Director, and assuring that Authority records are maintained. The Secretary shall be the Clerk of the Board of Supervisors of the County.

ARTICLE VII -AMENDMENTS

Section 1 - Amendments: Any provision of these bylaws may be amended when necessary by majority vote of the Authority Board. Amendments may be proposed by any Director and must be submitted in writing to the Secretary to be sent out with regular Authority Board announcements and notice must be provided to all Directors at least three (3) days prior to any action item being placed on the agenda.

CERTIFICATION

These bylaws were approved at a meeting of the Authority Board by a majority vote on _____, 2021.

Secretary

Date

**METRO AIR PARK ENHANCED INFRASTRUCTURE FINANCING DISTRICT
PUBLIC FINANCING AUTHORITY
700 H STREET, SUITE 3650
SACRAMENTO, CALIFORNIA 95814-1280
(916) 874-9039**

BOARD OF DIRECTORS:

**PHIL SERNA, DIRECTOR
SUE FROST, DIRECTOR
DON NOTTOLI, DIRECTOR
MATTHEW KEASLING, DIRECTOR
MICHAEL WHIPPLE, DIRECTOR**

**FLORENCE EVANS, SECRETARY
AMANDA THOMAS, EXECUTIVE DIRECTOR/TREASURER**

For the Agenda of:
October 6, 2021
1:00 p.m.

To: Board of Directors,
Metro Air Park Enhanced Infrastructure Financing District
Public Financing Authority

From: Amanda Thomas,
Executive Director/Treasurer

Subject: Adopt A Resolution Approving The Conflict Of Interest Code For
The Metro Air Park Enhanced Infrastructure Financing District
Public Financing Authority

RECOMMENDATION:

Adopt a Resolution of the Board of Directors of the Metro Air Park Enhanced Infrastructure Financing District Public Financing Authority (the Authority) approving the Conflict of Interest Code for the Authority, including the lists of Designated Employees and Disclosure Categories; and delegate authority to the Executive Director and Legal Counsel to make minor changes as needed.

BACKGROUND:

Public agencies in California are required to adopt a Conflict of Interest Code that provides for disclosure of financial interests by its officers, employees, and consultants.

The California Fair Political Practices Commission's (FPPC) regulations mandate a biennial review of each agency's Conflict of Interest Code to ensure that disclosure categories and job titles of filers remain up-to-date.

Pursuant to Government Code section 82011, the Board of Supervisors of the County of Sacramento is the Code reviewing body for the Authority. Staff met with the County's Clerk office to determine if the Authority's Conflict of Interest Code, including the list of designated employees and disclosure categories is to be updated.

It is recommended the Board adopt the Resolution, approving the Conflict of Interest Code for the Authority (Exhibit A), including the list of Designated Employees along with the Disclosure Categories (Appendix B); and delegate authority to the Executive Director and Legal Counsel to make minor changes to the Code and appendices as needed.

The Authority's Conflict of Interest Code will be forwarded to the County for approval. Pursuant to Government Code section 87303, the Board of Supervisors shall within ninety (90) days of receiving the Commission's updated code can 1) approve the propose code as submitted; 2) revise the proposed code and approve it as revised; or 3) return the proposed code to the agency for revision.

FINANCIAL ANALYSIS:

There is no financial impact associated with this recommended action.

Respectfully submitted,

Amanda Thomas
Authority Executive Director/Treasurer

Attachments Item 3:

Resolution
Exhibit A – To Resolution
Appendix A – To Exhibit A
Appendix B – To Exhibit A

**METRO AIR PARK ENHANCED INFRASTRUCTURE FINANCING
DISTRICT PUBLIC FINANCING AUTHORITY
RESOLUTION NO.**

**RESOLUTION APPROVING THE CONFLICT OF INTEREST CODE FOR
THE METRO AIR PARK ENHANCED INFRASTRUCTURE FINANCING
DISTRICT PUBLIC FINANCING AUTHORITY**

WHEREAS, the Political Reform Act requires every local government agency to adopt Conflict of Interest Code and submit amendments to its code-reviewing body; and

WHEREAS, the code-reviewing body for the Metro Air Park Enhanced Infrastructure Financing District Public Financing Authority (the Authority) is the Sacramento County Board of Supervisors.

NOW, THEREFORE, BE IT RESOLVED AND ORDERED by the Authority, as follows:

1. The updated Conflict of Interest Code, as set forth in Exhibit A, which includes Appendix A, the list of Designated Officers/Employees/Consultants and Appendix B, the list of Disclosure Categories List, is hereby adopted as the Conflict of Interest Code for the Metro Air Park Enhanced Infrastructure Financing District Public Financing Authority ("EFID Authority").

2. The Executive Director, in coordination with the EFID Authority Legal Counsel, is hereby authorized to make minor changes to this code consistent with this action.

3. The EFID Authority hereby delegates to the Clerk of the Commission Board the authority to carry out the duties of the filing official for the designated positions in Appendix A.

On a motion by Director _____, seconded by Director _____, the foregoing Resolution was passed and adopted by the Governing Board of the the EFID Authority, State of California, this 6th day of October, 2021, by the following vote, to wit:

AYES:

NOES:

ABSTAIN:

ABSENT:

ATTEST BY:

Chair of the EFID Authority

Clerk of the Board

ITEM 3 EXHIBIT A

METRO AIR PARK ENHANCED INFRASTRUCTURE FINANCING DISTRICT PUBLIC FINANCING AUTHORITY EXHIBIT A CONFLICT OF INTEREST CODE

The Political Reform Act, Government Code Section 81000, *et seq.*, requires state and local government agencies to adopt and promulgate conflict of interest codes. The Fair Political Practices Commission has adopted a regulation, 2 Cal. Code Regs. Section 18730, which contains the terms of a standard conflict of interest code. It can be incorporated by reference and may be amended by the Fair Political Practices Commission after public notice and hearings to conform to amendments in the Political Reform Act. Therefore, by Resolution No. _____, adopted on October 6, 2021, the Board of Directors of the Metro Air Park Enhanced Infrastructure Financing District Public Financing Authority (the Authority) adopts the terms of 2 Cal. Code Regs. Section 18730, and any amendments to it duly adopted by the Fair Political Practices Commission, as the Conflict of Interest Code of the Commission. Said Section 18730, along with the attached Appendix A in which members and employees are designated and Appendix B in which disclosure categories are set forth, constitute the Conflict of Interest Code of the Commission.

Persons holding designated positions shall file statements of economic interests with the Commission who will make the statements available for public inspection and reproduction. (Gov. Code § 81008.) Upon receipt of the statements of the Board Members of the Authority, the Authority shall make and retain a copy and forward the original of these statements to the Sacramento County Board of Supervisors. Statements for all other designated employees will be retained by the Authority.

ITEM 3 APPENDIX A

METRO AIR PARK ENHANCED INFRASTRUCTURE FINANCING DISTRICT PUBLIC FINANCING AUTHORITY

APPENDIX A

DESIGNATED EMPLOYEES

| Elected Officers | Appointed Officers | Other Designated |
|---|---|---|
| Board of Directors | Executive Director / Treasurer Secretary | Authority General Counsel Consultants* |
| <p>*Consultants shall be included in the list of designated employees and shall disclose pursuant to the disclosure categories set forth below, subject to the following limitation:</p> <p>The Executive Director/Treasurer or Authority General Counsel may determine in writing that a particular consultant, although a “designated position,” is hired to perform a range of duties that is limited in scope and thus is not required to fully comply with the disclosure requirements described in this Code. Such written determination shall include a description of the consultant’s duties and, based upon that description, a statement of the extent of disclosure requirements. The Executive Director/Treasurer’s or Authority General Counsel’s determination is a public record and shall be retained for public inspection in the same manner and location as this Conflict of Interest Code.</p> | | |

TYPE OF BUSINESS ENTITY, INVESTMENT, SOURCE OF INCOME, OR REAL PROPERTY TO BE DISCLOSED

1. Property Development Investments, or ownership in firms related to Property Development.
2. Investments in Light Industrial, Distribution Companies and Online Retailers.
3. Real Property Ownership located within Sacramento County.
4. Liability and casualty insurance industry.
5. The sale or leasing of real property within Sacramento County.

ITEM 3 APPENDIX B

METRO AIR PARK ENHANCED INFRASTRUCTURE FINANCING DISTRICT PUBLIC FINANCING AUTHORITY

APPENDIX B

CONFLICT OF INTEREST CODE DISCLOSURE CATEGORIES

| Designated Filers must furnish information regarding: |
|---|
| <p>Category 1 All interests in real property located in the jurisdiction of the Authority, including leasehold, ownership interest or option to acquire such interest in real property within Sacramento County.</p> |
| <p>Category 2 Investments in business entities, and income, including gifts, loans, and travel payments, from sources that provide goods, supplies, material, machinery, equipment or services, including consulting services, of the type utilized by the Authority.</p> |
| <p>Category 3 His or her status as a director, officer, partner, trustee, employee or holder of a position of management in any business entity or nonprofit corporation that contracts with the Authority including any entity that receives any funding from the Authority .</p> |
| <p>Category 4 Investments in, business positions in, and income, including gifts, loans, and travel payments from:</p> <ol style="list-style-type: none">1) Entities that are engaged in the business of insurance of the type utilized by the Authority including, but not limited to, insurance companies, carriers, underwriters, agents, adjusters, claims managers in the liability and casualty insurance industry, and actuaries.2) Land Development entities, including those related to Light Industrial, Hotels, and Retail Distribution Centers.3) Business entities performing construction or engineering work or services of the type used in land development and/or Light Industrial, Hotels, Retail Distribution Centers. |

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BOARD OF DIRECTORS:

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MICHAEL WHIPPLE, DIRECTOR**

**FLORENCE EVANS, SECRETARY
AMANDA THOMAS, EXECUTIVE DIRECTOR/TREASURER**

For the Agenda of:
October 6, 2021
1:00 p.m.

To: Board of Directors,
Metro Air Park Enhanced Infrastructure Financing District
Public Financing Authority

From: Amanda Thomas,
Executive Director/Treasurer

Subject: Adopt A Resolution Authorizing Remote Teleconference Meetings
For The Period of October 6, 2021 Through November 5, 2021
Pursuant To The Ralph M. Brown Act

RECOMMENDATION:

Adopt a Resolution of the Board of Directors of the Metro Air Park Enhanced Infrastructure Financing District Public Financing Authority (the Authority) authorizing remote teleconference meetings for the period of October 6, 2021 through November 5, 2021 pursuant to the Ralph M. Brown Act.

BACKGROUND:

On March 4, 2020, Governor Newsom issued a Proclamation of a State of Emergency declaring a state of emergency exists in California due to the threat of COVID-19, pursuant to the California Emergency Services Act (Government Code section 8625).

Adopt A Resolution Authorizing Remote Teleconference Meetings For The Period October 6, 2021 Through November 5, 2021 Pursuant To The Ralph M. Brown Act

Page 2 of 3

On March 17, 2020, Governor Newsom issued Executive Order N-29-20 that suspended the teleconferencing rules set forth in the Brown Act, provided certain requirements are met and followed.

On June 11, 2021, Governor Newsom issued Executive Order N-08-21 that clarified the suspension of the teleconferencing rules set forth in the Brown Act, and further provided that those provisions would remain suspended through September 30, 2021.

On September 16, 2021, Governor Newsom signed AB 361 that allows a legislative body subject to the Brown Act to continue to meet without fully complying with the teleconferencing rules in the Brown Act provided the legislative body make certain findings.

A required condition of the Government Code section 54953(e) is that a state of emergency is declared by the Governor pursuant to section 8625, proclaiming the existence of conditions of disaster or of extreme peril to the safety of persons and property within the state caused by conditions as described in Government Code section 8558(b).

A further required condition of the Government Code section 54953 (e) is that the state or local officials have imposed or recommended measures to promote social distancing, or the legislative body holds a meeting to determine or has determined by a majority vote that meeting in person would present imminent risks to the health and safety of attendees.

The following conditions currently exist:

- There is currently a Proclamation of a State of Emergency that remains in effect.
- California Department of Industrial Relations has issued regulations related to COVID-19 Prevention for employees and places of employment. Title 8 of the California Code of Regulations, Section 3205(5)(d) specifically recommends physical (social) distancing as one of the measures to decrease the spread of COVID-19 based on the fact that particles containing the virus can travel more than six feet, especially indoors.
- On September 28, 2021, the Sacramento County Public Health Officer Dr. Olivia Kasirye issued a Teleconference Recommendation which states that utilizing teleconference options for public meetings is an effective and recommended social distancing measure to facilitate the participation in public affairs and encourage participants to protect themselves and others from COVID-19.

Adopt A Resolution Authorizing Remote Teleconference Meetings For The Period
October 6, 2021 Through November 5, 2021 Pursuant To The Ralph M. Brown
Act
Page 3 of 3

Due to the current conditions listed above, staff recommends adopting the
resolution authorizing remote teleconferencing meetings for the period of
October 6, 2021 Through November 5, 2021 pursuant to the Ralph M. Brown Act.

FINANCIAL ANALYSIS:

There is no financial impact associated with this recommended action.

Respectfully submitted,

Amanda Thomas
Authority Executive Director/Treasurer

Attachments Item 4:

Resolution

**METRO AIR PARK ENHANCED INFRASTRUCTURE FINANCING
DISTRICT PUBLIC FINANCING AUTHORITY
RESOLUTION NO.**

**RESOLUTION AUTHORIZING REMOTE TELECONFERENCE MEETINGS
FOR THE PERIOD OCTOBER 6, 2021 THROUGH NOVEMBER 5, 2021
PURSUANT TO THE RALPH M. BROWN ACT**

WHEREAS, all meetings of METRO AIR PARK ENHANCED INFRASTRUCTURE FINANCING DISTRICT PUBLIC FINANCING AUTHORITY (the Authority) and its legislative bodies are open and public, as required by the Ralph M. Brown Act (California Government Code § 54950 et seq); and

WHEREAS, on March 4, 2020, Governor Newsom issued a Proclamation of a State of Emergency declaring a state of emergency exists in California due to the threat of COVID-19, pursuant to the California Emergency Services Act (Government Code section 8625); and

WHEREAS, on March 17, 2020, Governor Newsom issued Executive Order N-29-20 that suspended the teleconferencing rules set forth in the Brown Act, provided certain requirements were met and followed; and,

WHEREAS, on June 11, 2021, Governor Newsom issued Executive Order N-08-21 that clarified the suspension of the teleconferencing rules set forth in the Brown Act, and further provided that those provisions would remain suspended through September 30, 2021; and

WHEREAS, on September 16, 2021, Governor Newsom signed AB 361 that allows a legislative body subject to the Brown Act to continue to meet without fully complying with the teleconferencing rules in the Brown Act provided the legislative body make certain findings; and

WHEREAS, as amended by AB 361, Government Code section

**RESOLUTION AUTHORIZING REMOTE TELECONFERENCE MEETINGS
FOR THE PERIOD OCTOBER 6, 2021 THROUGH NOVEMBER 5, 2021
PURSUANT TO THE RALPH M. BROWN ACT**

Page 2 of 5

54953(e), makes provisions for remote teleconferencing participation in meetings by members of a legislative body, without compliance with the requirements of Government Code section 54953(b)(3), subject to the existence of certain conditions and requirements; and

WHEREAS, a required condition of Government Code section 54953(e) is that a state of emergency is declared by the Governor pursuant to Government Code section 8625, proclaiming the existence of conditions of disaster or of extreme peril to the safety of persons and property within the state caused by conditions as described in Government Code section 8558(b); and

WHEREAS, a further required condition of Government Code section 54953(e) is that state or local officials have imposed or recommended measures to promote social distancing, or, the legislative body holds a meeting to determine or has determined by a majority vote that meeting in person would present imminent risks to the health and safety of attendees; and

WHEREAS, as of the date of this Resolution, the Proclamation of a State of Emergency remains in effect as neither the Governor nor the state Legislature have exercised their respective powers pursuant to Government Code section 8629 to lift the state of emergency either by proclamation or by concurrent resolution the state Legislature; and

WHEREAS, the California Department of Industrial Relations has issued regulations related to COVID-19 Prevention for employees and places of employment. Title 8 of the California Code of Regulations, Section

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FOR THE PERIOD OCTOBER 6, 2021 THROUGH NOVEMBER 5, 2021
PURSUANT TO THE RALPH M. BROWN ACT**

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3205(5)(D) specifically recommends physical (social) distancing as one of the measures to decrease the spread of COVID-19 based on the fact that particles containing the virus can travel more than six feet, especially indoors; and

WHEREAS, on September 28, 2021, the Sacramento County Public Health Officer Dr. Olivia Kasirye issued a Teleconference Recommendation which states that utilizing teleconference options for public meetings is an effective and recommended social distancing measure to facilitate participation in public affairs and encourage participants to protect themselves and other from COVID-19; and

WHEREAS, the Authority has an interest in encouraging public participation in open and public meetings while protecting the health, safety and welfare of those who participate.

NOW, THEREFORE, BE IT RESOLVED, by the Authority as follows:

1. **State or Local Officials Have Imposed or Recommended Measures to Promote Social Distancing.** The Authority hereby finds and proclaims that state and local officials have imposed or recommended measures to promote social (physical) distancing based on the California Department of Industrial Relations' issuance of regulations related to COVID-19 Prevention through Title 8 of the California Code of Regulations, Section 3205(5)(D) and Sacramento County Public Health Officer Dr. Olivia Kasirye's Teleconference Recommendation issued September 28, 2021.

2. **Remote Teleconference Meetings.** The Authority and any of its legislative bodies are hereby authorized to conduct open and public

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meetings in accordance with Government Code section 54953(e) and other applicable provisions of the Brown Act, and Staff are directed to take all actions necessary to carry out the intent and purpose of this Resolution.

3. **Effective Date.** This Resolution shall take effect immediately upon its adoption and shall be effective until the earlier of (i) November 5, 2021 or (ii) such time the Authority adopts a subsequent resolution in accordance with Government Code section 54953(e)(3) to extend the time during which it and its legislative bodies may continue to teleconference without compliance with Section 54953(b)(3).

On a motion by [Director] _____, seconded by [Director] _____, the foregoing Resolution was passed and adopted by the Metro Air Park Enhanced Infrastructure Financing District Public Financing Authority, State of California this sixth (6) day of October 2021, by the following vote, to wit:

AYES: [Directors],

NOES: [Directors],

ABSENT: [Directors],

ABSTAIN: [Directors],

RECUSAL: [Directors],
(PER POLITICAL REFORM ACT (§ 18702.5.))

Chair of the Authority, California

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(SEAL)

ATTEST: _____
Clerk, Board of Directors

**METRO AIR PARK ENHANCED INFRASTRUCTURE FINANCING DISTRICT PUBLIC
FINANCING AUTHORITY
700 H STREET, SUITE 3650
SACRAMENTO, CALIFORNIA 95814-1280
(916) 874-9039**

BOARD OF DIRECTORS:

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MICHAEL WHIPPLE, DIRECTOR**

**FLORENCE EVANS, SECRETARY
AMANDA THOMAS, EXECUTIVE DIRECTOR/TREASURER**

For the Agenda of:
October 6, 2021
1:00 p.m.

To: Board of Directors,
Metro Air Park Enhanced Infrastructure Financing District Public
Financing Authority

From: Amanda Thomas,
Executive Director/Treasurer

Subject: Designate And Direct The County Engineer To Prepare And
Distribute The Infrastructure Financing Plan And Other Required
Documents And Set The Following Meeting Of The PFA To
October 21, 2021 at 1:00 P.M.

RECOMMENDATION:

- 1) Designate and direct the County Engineer to prepare and distribute an infrastructure financing plan and other required documents pursuant to Sections 53398.63 and 53398.64 of the California Government Code.
- 2) Set the following Meeting of the PFA for October 21, 2021 at 1:00 P.M.

BACKGROUND:

On April 20, 2021, the Sacramento County Board of Supervisors approved the resolution of intention (Resolution 2021-0211) to form the County of Sacramento Metro Air Park Enhanced Infrastructure Financing District (EIFD).

Designate And Direct The County Engineer To Prepare And Distribute The Infrastructure Financing Plan And Other Required Documents And Set The Following Meeting Of The PFA To October 21, 2021 at 1:00 P.M.

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This resolution also established the Public Financing Authority (PFA) as the governing board for the EIFD.

Government Code Section 53398.62 requires that the Metro Air Park Enhanced Infrastructure Financing District Public Financing Authority designate and direct the County Engineer or other appropriate official to prepare the Infrastructure Financing Plan (IFP) and to distribute the IFP and certain other documents in accordance with additional sections of the Government Code.

The draft-enhanced IFP will be made available to the public and to each landowner within the area prior to the next meeting of the PFA to be held October 21, 2021, at 1 PM. This meeting will be held at least 30 days before the notice is given for the first public hearing on the IFP. The purposes of the meeting is to allow the staff of the PFA to present the draft-enhanced IFP, answer questions about the IFP, and consider comments about the IFP.

FINANCIAL ANALYSIS:

The County of Sacramento Board of Supervisors had previously approved an Advance Funding Agreement that will cover the costs of implementing the Metro Air Park Enhanced Infrastructure Financing District (District) which was funded by the developers within Metro Air Park. Should the District be formed and the Infrastructure Financing Plan be adopted, the Advanced Funds could be reimbursed to the developer from future District revenues.

Respectfully submitted,

Amanda Thomas
Authority Executive Director/Treasurer