

MONTEREY COUNTY, CALIFORNIA

RESOLUTION NO. \_\_\_\_\_

**PROVIDING FOR THE APPROVAL OF AN INFRASTRUCTURE FINANCING PLAN FOR THE PUBLIC FINANCING AUTHORITY FOR CITY OF GONZALES INFRASTRUCTURE FINANCING DISTRICT NO.1 AND APPROVAL OF MEMORANDUM OF AGREEMENT BETWEEN THE CITY OF GONZALES AND THE COUNTY OF MONTEREY, AND MAKING CERTAIN DETERMINATIONS AND DIRECTING CERTAIN ACTIONS**

WHEREAS, the California Legislature has enacted Chapter 2.99 of Part 1 of Division 2 of the California Government Code (the “EIFD Law”) and, as part of the EIFD Law, the Legislature has found and determined that with the dissolution of redevelopment agencies, public benefits will accrue if local agencies fund certain activities authorized under the EIFD Law; and

WHEREAS, the City Council of the City of Gonzales (the “City”) adopted Resolution 2019-11, effective January 22, 2019, determining that it would be beneficial to City to establish and stating the Council’s intent to establish, an Enhanced Infrastructure Financing District (EIFD) consisting substantially of that territory consisting of that certain area of the City commonly known as City of Gonzales Agricultural Industrial Business Park, which boundary was established as illustrated on the EIFD Boundary Map and creation of a related public financing authority (the “Public Financing Authority”) to act as the governing body of the District, all in accordance with the EIFD Law; and

WHEREAS, the City Council of the City has adopted its Resolution No. 2019-11 pursuant to section 53398.59 of the EIFD Law which serves as a resolution of intention to designate an enhanced infrastructure financing district of the Public Financing Authority within the City to be known as Enhanced Infrastructure Financing District No. 1 (the “District” and the “Territory,” respectively), which area is more particularly described in the Enhanced Infrastructure Financing Plan; and

WHEREAS, the Council also adopted Resolution 2019-18, effective March 18, ~~2019~~2019, ~~providing for the approval of~~approving an Infrastructure Financing Plan (IFP) for the public financing authority for the Gonzales Enhanced Infrastructure Financing District No. 1; and

WHEREAS, the Public Financing Authority has been formed in accordance with the EIFD Law and has prepared an Infrastructure Financing Plan (the “Infrastructure Financing Plan”) for the District which proposes to subject property taxes otherwise allocated to the County to the division of taxes pursuant to Article III (commencing with ~~s~~Section 53398.75) of the EIFD Law, and the Public Financing Authority has requested that the Monterey County Board of Supervisors adopt its Resolution approving the Infrastructure Financing Plan and the division of taxes otherwise allocated to the County thereunder; and

WHEREAS, the Public Financing Authority has consulted with the County regarding the terms of the Infrastructure Financing Plan and the division of taxes proposed to occur thereunder, as well the composition of the Board of the Public Financing Authority and other appropriate matters; and

WHEREAS, the County by this Resolution wishes to approve the Plan including, without limitation, the composition of the governing board of the Authority and the division of taxes thereunder insofar as it relates to the County; and

WHEREAS, passage of this resolution constitutes the approval of the Infrastructure Financing Plan as referenced in sSection 53398.68(a) of the EIFD Law; and

WHEREAS, passage of this resolution also constitutes ~~the County~~ approval of the Memorandum of Agreement Between the City of Gonzales and the County of Monterey (the “Memorandum of Agreement”) attached hereto as Exhibit “A” and

WHEREAS said Memorandum of Agreement provides for terms and conditions ~~into~~ the Infrastructure Financing Plan; and

WHEREAS, the approval provided by this Resolution is subject to those ~~terms~~ and conditions expressed in Exhibit “A” attached hereto and made a part hereof; and

WHEREAS, approval provided by the EIFD is not a project subject to environmental review per California Code of Regulations 14\_CCR section 15378(b)(4); and

WHEREAS, the County of Monterey is authorized to undertake all the above pursuant to applicable laws of the State of California.

NOW, THEREFORE, IT IS HEREBY RESOLVED by the Board of Supervisors of the County of Monterey, State of California (the “Board”), as follows:

Section 1. The Board hereby determines the above findings are true and correct.

Section 2. The County approval is hereby granted, subject to compliance with the EIFD, IFP, and with adherence to the Memorandum of Agreement. The Clerk of the Board is hereby authorized and directed to cause a copy of this Resolution to be delivered to the City and the Public Financing Authority in accordance with the EIFD Law.

Section 3. The County Administrative Officer, and/or his designee (the “Responsible Officers”) is hereby authorized and directed to negotiate and execute such further instruments related to implementation of the County Approval and Memorandum of Agreement approved by this Resolution as such person deems necessary or appropriate to implement this Resolution, such person’s execution and delivery of any such instrument to be conclusively evidenced by the execution thereof.

Section 4. All actions heretofore taken by any officer of the County with respect to the Infrastructure Financing Plan and Memorandum of Agreement are hereby approved, confirmed and ratified.

Section 5. The Responsible Officers are, and each of them acting alone is, hereby authorized and directed to take such actions and to execute such documents and certificates as may be necessary to effectuate the purposes of this resolution, including the execution and delivery of instruments implementing the County approval and execution of the Memorandum of Agreement and further to administer in all respects the County’s participation in the Infrastructure Financing Plan and its implementation, including provision from time to time of any consents, waivers or estoppels as may be reasonably necessary or advisable in such Responsible Officers’ judgment.

Section 6. This resolution shall take effect immediately upon its passage.

Section 7. The Clerk of the Board shall forward copies of this resolution to the following:

- (a) County Administrative Officer
- (b) County Counsel
- (c) Auditor-Controller
- (d) Treasurer-Tax Collector
- (e) Public Financing Authority  
147 Fourth Street  
Gonzales, CA 93926  
Attn: City Manager
- (f) City of Gonzales  
147 Fourth Street  
Gonzales, CA 93926  
Attn: City Manager

PASSED AND ADOPTED by the board of Supervisors of Monterey County, State of California, by the following vote:

AYES:            SUPERVISORS:  
NOES:            SUPERVISORS:  
ABSENT:        SUPERVISORS:

STATE OF CALIFORNIA

)

) ss.

COUNTY OF MONTEREY

)

I, Valerie Ralph, Clerk of the Board of Supervisors of the County of Monterey, State of California, hereby certify the foregoing to be a full true and correct copy of the record of the action taken by the Board of Supervisors of said corporation, by vote of the members present as the same appears in the Official Minutes of the said Board at its meeting of \_\_\_\_\_, 2020.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal

VALERIE RALPH  
Clerk of the Board

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**EXHIBIT A**

**CITY OF GONZALES RESOLUTION 2019-11**

[SEE FOLLOWING PAGE]

**EXHIBIT B**

**ENHANCED INFRASTRUCTURE FINANCING DISTRICT (EIFD) BOUNDARY MAP**

[SEE FOLLOWING PAGE]

**EXHIBIT C**

**CITY OF GONZALES RESOLUTION 2019-18**

[SEE FOLLOWING PAGE]

**EXHIBIT D**

**INFRASTRUCTURE FINANCING PLAN (IFP) FOR THE ENHANCED  
INFRASTRUCTURE FINANCING DISTRICT CONSISTING OF THAT CERTAIN AREA  
OF THE CITY COMMONLY KNOWN AS CITY OF GONZALES AGRICULTURAL  
INDUSTRIAL BUSINESS PARK (INFRASTRUCTURE FINANCING DISTRICT NO. 1)**

[SEE FOLLOWING PAGE]



**EXHIBIT E**

**MEMORANDUM OF AGREEMENT BETWEEN THE CITY OF GONZALES AND THE  
COUNTY OF MONTEREY [SUPPLEMENTAL TERMS AND CONDITIONS TO THE  
INFRASTRUCTURE FINANCING PLAN]**

[SEE FOLLOWING PAGE]