

**Governing Board
of the East Garrison Public Financing Authority**

Resolution No. _____

Rescinding By-Laws; and Authorizing Related)
Actions.)
_____)

WHEREAS, East Garrison Public Financing Authority (the “Authority”) was created pursuant to the Joint Exercise of Powers Agreement, dated as of March 28, 2006 (the “Original Agreement”), by and between the County of Monterey (the “County”) and the East Garrison Community Services District (the “Community Services District”);

WHEREAS, on April 11, 2006, the Governing Board of the Authority (the “Governing Board”) adopted the By-Laws of the East Garrison Public Financing Authority (the “By-Laws”);

WHEREAS, pursuant to the Amended and Restated Joint Exercise of Powers Agreement, dated as of September 20, 2016 (the “Amended and Restated Agreement”), by and between the County and the Community Services District, the Original Agreement has been amended and restated so as to modify the constitution of the Governing Board, to eliminate certain unnecessary provisions of the Original Agreement and to clarify and simplify certain of the remaining provisions of the Original Agreement;

WHEREAS, the Amended and Restated Agreement contains provisions covering all matters provided for in the By-Laws and, therefore, there is no longer any need for the By-Laws; and

WHEREAS, the Governing Board desires to repeal, rescind and extinguish the By-Laws;

NOW, THEREFORE, BE IT RESOLVED by the Governing Board of the East Garrison Public Financing Authority, as follows:

Section 1. The foregoing recitals are true and correct, and the Governing Board so finds and determines.

Section 2. The By-Laws are hereby repealed, rescinded and extinguished and shall hereafter be of no further force or effect.

Section 3. The officers, employees and agents of the Authority are, and each of them is, hereby authorized and directed, for and in the name of the Authority to do any and all things and to execute and deliver any and all documents which they or any of them deem necessary or advisable in order to consummate the actions contemplated by this Resolution and otherwise to carry out, give effect to and comply with the terms and intent of this Resolution.

Section 4. All actions heretofore taken by the officers, employees and agents of the Authority with respect to the actions referred to herein, are hereby approved, confirmed and ratified.

Section 5. This Resolution shall take effect immediately upon its adoption.

PASSED AND ADOPTED by the Governing Board of the East Garrison Public Financing Authority on September 20, 2016.

Jane B. Parker
Chair, Governing Board of the EAST
GARRISON PUBLIC FINANCING
AUTHORITY

ATTEST:

Secretary

CERTIFICATE OF SECRETARY

I, Gail T. Borkowski, Secretary of the Governing Board of the East Garrison Public Financing Authority do hereby certify that the foregoing is a full, true and correct copy of a resolution duly adopted at a special meeting of the Governing Board of the East Garrison Public Financing Authority duly and regularly held at the regular meeting place thereof on September 20, 2016, of which meeting all of the members of said Governing Board had due notice, and at said meeting said resolution was adopted by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

I do hereby further certify that an agenda of said meeting was posted at least 72 hours before said meeting at 168 West Alisal Street, Salinas, California, a location freely accessible to members of the public, and a brief description of said resolution appeared on said agenda.

I do hereby further certify that I have carefully compared the foregoing copy with the original minutes of said meeting on file and of record in my office; that said copy is a full, true and correct copy of the original resolution adopted at said meeting and entered in said minutes; and that said resolution has not been amended, modified, rescinded or revoked in any manner since the date of its adoption, and the same is now in full force and effect.

Dated: _____, 2016

Secretary