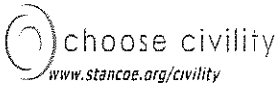
Public Financing Authority Meeting Agenda



SEPTEMBER 24, 2013
6:00 p.m.
City of Turlock Yosemite Room
156 S. Broadway, Turlock, California

Chairman
John S. Lazar

Agency Members
William DeHart, Jr. **Steven Nascimento**
Forrest White **Amy Bublak**

City Manager
Roy W. Wasden
City Clerk
Kellie E. Weaver
City Attorney
Phaedra A. Norton

NOTICE REGARDING NON-ENGLISH SPEAKERS: The Turlock Public Financing Authority meetings are conducted in English and translation to other languages is not provided. Please make arrangements for an interpreter if necessary.

EQUAL ACCESS POLICY: If you have a disability which affects your access to public facilities or services, please contact the City Clerk's Office at (209) 668-5540. The City is committed to taking all reasonable measures to provide access to its facilities and services. Please allow sufficient time for the City to process and respond to your request.

NOTICE: Pursuant to California Government Code Section 54954.3, any member of the public may directly address the Public Financing Authority on any item appearing on the agenda, including Consent Calendar and Public Hearing items, before or during the Public Financing Authority's consideration of the item.

AGENDA PACKETS: Prior to the Public Financing Authority meeting, a complete Agenda Packet is available for review on the City's website at www.cityofturlock.org and in the City Clerk's Office at 156 S. Broadway, Suite 230, Turlock, during normal business hours. Materials related to an item on this Agenda submitted to the Agency after distribution of the Agenda Packet are also available for public inspection in the City Clerk's Office. Such documents may be available on the City's website subject to staff's ability to post the documents before the meeting.

1. CALL TO ORDER

2. CITIZEN PARTICIPATION:

This is the time set aside for members of the public to directly address the Board on any item of interest to the public, before or during the Board's consideration of the item, that is within the subject matter jurisdiction of the Public Financing Authority. You will be allowed three (3) minutes for your comments. If you wish to speak regarding an item on the agenda, you may be asked to defer your remarks until the Board addresses the matter.

No action or discussion may be undertaken on any item not appearing on the posted agenda, except that Board may refer the matter to staff or request it be placed on a future agenda.

3. DECLARATION OF CONFLICTS OF INTEREST AND DISQUALIFICATIONS:

4. CONSENT CALENDAR:

Information concerning the consent items listed hereinbelow has been forwarded to each Board Members prior to this meeting for study. Unless the Chairman, a Board Member or member of the audience has questions concerning the Consent Calendar, the items are approved at one time by the Board. The action taken by the Board in approving the consent items is set forth in the explanation of the individual items.

A. *Motion*: Accepting Minutes of Regular Meeting of September 25, 2012
B. *Resolution*: Cancelling the Public Financing Authority meeting scheduled for Tuesday, November 26, 2013
C. *Resolution*: Superceding and replacing Resolution No. PFA-2010-001 and adopting an amended regular meeting schedule for the Turlock Public Financing Authority

5. SCHEDULED MATTERS: None

6. ADJOURNMENT

DRAFT

4A

September 25, 2012
7:00 p.m.
City of Turlock Yosemite Room
156 S. Broadway, Turlock, California

MINUTES
Regular Meeting
Turlock Public Financing Authority

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1. **CALL TO ORDER** – Mayor Lazar called the meeting to order at 7:59 p.m.
   PRESENT: Agency Members Amy Bublak, Bill DeHart, Mary Jackson, Forrest White and Chairman Lazar
   ABSENT: None

2. **CITIZEN PARTICIPATION:** None

3. **DECLARATION OF CONFLICTS OF INTEREST AND DISQUALIFICATIONS**: None

4. **CONSENT CALENDAR:**
   Action: Motion by Agency Member White, seconded by Agency Member DeHart, and unanimously carried to adopt the consent calendar as follows:

   A. *Motion*: Accepting Minutes of Regular Meeting of July 24, 2012
   B. **Resolution No. PFA-2012-002** Approving Post-Issuance Tax Compliance Procedures for Tax-Exempt and Direct Pay Subsidy Bonds

5. **SCHEDULED MATTERS:** None

6. **ADJOURNMENT**

   Mayor Lazar adjourned the meeting at 8:00 p.m.

RESPECTFULLY SUBMITTED

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Kellie E. Weaver
City Clerk

DRAFT

4B

Public Financing Authority Synopsis

September 24, 2013

From: Roy W. Wasden, City Manager

Prepared by: Kellie E. Weaver, City Clerk

Agendized by: Roy W. Wasden, City Manager

1. ACTION RECOMMENDED:

Resolution: Cancelling the Public Financing Authority meeting scheduled for Tuesday, November 26, 2013

2. DISCUSSION OF ISSUE:

Resolution No. PFA -2010-001 sets forth that the Public Financing Authority shall have regular meetings at the same time and place as the Turlock City Council has regular meetings.

As a result of the recent contract negotiations with the various City employee bargaining groups, it is anticipated that City offices will be closed the week of November 25 - 29, 2013.

It is therefore requested that the Public Financing Authority consider cancelling their regular meeting scheduled for Tuesday, November 26, 2013.

3. BASIS FOR RECOMMENDATION:

A. City offices will be closed the weeks of November 25 - 29, 2013.

4. FISCAL IMPACT / BUDGET AMENDMENT:

Fiscal Impact: None

5. CITY MANAGER'S COMMENTS:

Recommend approval.

6. ENVIRONMENTAL DETERMINATION:

N/A

7. ALTERNATIVES:

A. The Agency may desire to hold a regular meeting on November 26, 2013.

B. The Agency may select an alternative date to hold a special meeting in place of the regular meeting.

BEFORE THE BOARD OF DIRECTORS OF THE TURLOCK PUBLIC FINANCING AUTHORITY

IN THE MATTER OF CANCELLING THE PUBLIC FINANCING AUTHORITY MEETING SCHEDULED FOR TUESDAY, NOVEMBER 26, 2013	}	**RESOLUTION NO. PFA-2013-**

WHEREAS, Resolution No. PFA -2010-001 sets forth that the Public Financing Authority shall have regular meetings at the same time and place as the Turlock City Council; and

WHEREAS, as a result of recent contract negotiations with various City employee bargaining groups, it is anticipated that City offices will be closed the week of November 25 – 29, 2013; and

WHEREAS, the Public Financing Authority desires to cancel their regular meeting scheduled for Tuesday, November 26, 2013.

NOW, THEREFORE, BE IT RESOLVED that the Public Financing Authority does hereby authorize the cancellation of the regular Public Financing Authority meeting scheduled for Tuesday, November 26, 2013.

PASSED AND ADOPTED at a regular meeting of the Board of Directors of the Turlock Public Financing Authority this 24th day of September, 2013, by the following vote:

AYES:
NOES:
NOT PARTICIPATING:
ABSENT:

ATTEST:

_____
Kellie E. Weaver, City Clerk
City of Turlock, County of Stanislaus,
State of California

4C

Public Financing Authority Synopsis

September 24, 2013

From: Roy W. Wasden, City Manager

Prepared by: Kellie E. Weaver, City Clerk

Agendized by: Roy W. Wasden, City Manager

1. ACTION RECOMMENDED:

Resolution: Superseding and replacing Resolution No. PFA-2010-001 and adopting an amended regular meeting schedule for the Turlock Public Financing Authority

2. DISCUSSION OF ISSUE:

On September 14, 2010, the Public Financing Authority (PFA) Board rescinded Resolution No. PFA-2005-001 and adopted Resolution No. PFA-2010-001, establishing a new schedule for the Authority, particularly that the "Authority shall have regular meetings at the same time and place as the Turlock City Council has regular meetings, which shall be every second and fourth Tuesday of each month at 7:00 p.m. at City Hall, 156 S. Broadway Street, Turlock, California." The action was taken as a result of SB 99, under which the approval of documents related to a bond issuance by the governing body of a Joint Powers Authority, such as the PFA, must occur at a regular meeting of the PFA.

On February 26, 2013, Turlock City Council enacted Ordinance 1180-CS which changed the hour regular City Council meetings are held from 7:00 p.m. to 6:00 p.m., necessitating an amendment to the meeting time for the PFA. The purpose of the attached Resolution is to revise the hour regular meetings of the Turlock Public Financing Authority (PFA) are held to correspond with the hour regular City Council meetings are currently held. Staff is requesting to remove any reference to the specific hour (i.e. 6:00 p.m.) to eliminate the need for future amendments should the hour regular City Council meetings are held change.

3. BASIS FOR RECOMMENDATION:

A. The change is necessary to correct the language that regular PFA meetings are held at 7:00 p.m.

B. Removing the reference to a specific hour will eliminate the need for future amendments should the hour regular City Council meetings are held change.

Strategic Plan Initiative: Not specifically identified within the City Strategic Plan.

4. FISCAL IMPACT / BUDGET AMENDMENT:

Fiscal Impact: None

5. CITY MANAGER'S COMMENTS:

Recommend approval

6. ENVIRONMENTAL DETERMINATION:

N/A

7. ALTERNATIVES:

A. Council could direct staff to include the specific hour meeting are held.

BEFORE THE BOARD OF DIRECTORS OF THE TURLOCK PUBLIC FINANCING AUTHORITY

IN THE MATTER OF SUPERSEDING AND REPLACING RESOLUTION NO. PFA-2010-001 AND ADOPTING AN AMENDED REGULAR MEETING SCHEDULE FOR THE TURLOCK PUBLIC FINANCING AUTHORITY	**RESOLUTION NO. PFA-2013 -**

WHEREAS, the Turlock Public Financing Authority (the "Authority") is a joint powers authority duly organized and existing under and pursuant to Articles 1 through 4 (commencing with Section 6500), Chapter 5, Division 7, Title 1 of the California Government Code (the "Act") and that certain Joint Exercise of Powers Agreement, dated as of December 15, 1998, by and between the City of Turlock (the "City") and the Turlock Redevelopment Agency (the "Agency"), and is authorized pursuant to Article 4 of the Act to issue bonds for the purpose of making loans to the Agency to provide financing and refinancing for public capital improvements; and

WHEREAS, Senate Bill No. 99 which was approved by the Governor of California on October 11, 2009, added Section 6592.1 to the California Government Code effective January 1, 2010, and imposed a new requirement that approval of the issuance of bonds by a joint exercise of powers authority under the Act must occur at a regular meeting held pursuant to Section 54954 of the Government Code; and

WHEREAS, pursuant to the Authority's bylaws adopted on January 26, 1999, regular meetings of the Authority shall be held at the business office of the Authority, or at such other place as the Authority may by resolution designate, on dates and at a time as fixed by resolution of the Authority; and

WHEREAS, to facilitate the Authority's issuance of bonds authorized under the Act in keeping with Government Code Section 6592.1 and without causing inordinate delay at the time such financings are required, the Authority established a regular meeting schedule by Resolution No. PFA-2010-001, particularly that the Authority shall have regular meetings at the same time and place as the Turlock City Council has regular meetings, which shall be every second and fourth Tuesday of each month ~~at~~ 7:00 p.m. at City Hall, 156 S. Broadway Street, Turlock, California; and

WHEREAS, Turlock City Council Ordinance No. 1180-CS changed the hour regular City Council meetings are held, which directly corresponds to the hour regular meetings of the Turlock Public Financing Authority meetings are held.

NOW, THEREFORE, BE IT RESOLVED that the Turlock Public Financing Authority does hereby determine and order:

1. **Recitals**. The above recitals, and each of them, are true and correct.

2. Establishment of Regular Meetings. The Authority hereby establishes that the Authority shall have regular meetings at the same time and place as the Turlock City Council has regular meetings, which shall be every second and fourth Tuesday of each month at City Hall, 156 S. Broadway, Turlock, California.

3. Resolution No. PFA 2010-001 is hereby superseded and replaced.

PASSED AND ADOPTED at a special meeting of the Turlock Public Financing Authority this 24th day of September, 2013, by the following vote:

AYES:
NOES:
NOT PARTICIPATING:
ABSENT:

ATTEST:

_____
Kellie E. Weaver, City Clerk
City of Turlock, County of Stanislaus,
State of California