

REDEVELOPMENT AGENCY OF THE
CITY OF EL PASO DE ROBLES

RESOLUTION NO. RA 86-03

A RESOLUTION OF THE REDEVELOPMENT AGENCY OF THE CITY OF EL
PASO DE ROBLES AMENDING THE BYLAWS OF SAID AGENCY

WHEREAS, the City of El Paso de Robles created the Redevelopment Agency of the City of El Paso de Robles on June 25, 1980 by Ordinance No. 499 N.S. for purposes of considering and pursuing redevelopment activities in the community pursuant to the Community Redevelopment Law, California Health and Safety Code, Sections 33000 et. seq., and has since been authorized and directed by the City Council of the City of El Paso de Robles to formulate and implement a Redevelopment Plan within one or more Redevelopment Project Areas; and

WHEREAS, Ordinance No. 499 N.S. has taken effect and all other requirements of law have been met so that the Redevelopment Agency of the City of El Paso de Robles is now authorized to function in the City of El Paso de Robles and is permitted to transact any business and to exercise any powers conferred thereon by the provision of the Community Redevelopment Law (Part I, commencing with Section 33000 of Division 24 of the Health and Safety Code of the State of California); and

WHEREAS, the Community Redevelopment Law authorizes the Redevelopment Agency of the City of El Paso de Robles to make, amend, and repeal Bylaws and regulations to carry into effect the powers and purposes of said law (provided said Bylaws and regulations are not inconsistent therewith); and

WHEREAS, the Redevelopment Agency of the City of El Paso de Robles adopted Resolution No. 2471 on August 27, 1980 approving Bylaws and regulations for the Redevelopment Agency, and which now require certain amendments.

NOW, THEREFORE, BE IT RESOLVED, DETERMINED, AND ORDERED BY THE REDEVELOPMENT AGENCY OF THE CITY OF EL PASO DE ROBLES, AS FOLLOWS:

Section 1. The amended Bylaws attached hereto as Attachment "A" will help to carry into effect the powers and purposes of the aforesaid Community Redevelopment Law and are not inconsistent therewith.

Section 2. The amended Bylaws attached hereto as Attachment "A" and by this reference are made a part hereof as though set forth in full, hereby are adopted as the amended Bylaws for the Redevelopment Agency of the City of El Paso de Robles.

PASSED AND ADOPTED THIS 13th day of August, 1986 by the following roll call vote:

AYES : Agency Members: Cousins, Ovitt, Dolan, Stemper and Russell

NOES : Agency Members: None

ABSENT : Agency Members: None

Nick Russell
CHAIRMAN of the Redevelopment Agency
of the City of El Paso de Robles

ATTEST:

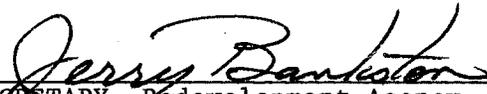
Jerry Bankston
SECRETARY of the Redevelopment Agency
of the City of El Paso de Robles

STATE OF CALIFORNIA)
COUNTY OF SAN LUIS OBISPO)SS
CITY OF EL PASO DE ROBLES)

I, Jerry Bankston, Secretary of the Redevelopment Agency of the City of El Paso de Robles, California, do hereby certify that the foregoing Resolution No. RA 86-03 was duly and regularly adopted, passed and approved by the Redevelopment Agency of the City of El Paso de Robles, California at a adjourned/regular meeting of said Redevelopment Agency held at the regular meeting place thereof, on the 13th day of August, 1986, by the following vote:

AYES : Agency Members: Cousins, Ovitt, Dolan, Stemper and Russell
NOES : Agency Members: None
ABSENT : Agency Members: None

Dated this 13th day of August, 1986.



SECRETARY, Redevelopment Agency
CITY OF EL PASO DE ROBLES

BYLAWS
OF THE
REDEVELOPMENT AGENCY OF THE
CITY OF EL PASO DE ROBLES
CALIFORNIA

ADOPTED THE 27th DAY OF AUGUST, 1980
AMENDED THE 13th DAY OF AUGUST, 1986

BY
RESOLUTION NO. RA 86-03

ATTACHMENT "A" TO
RESOLUTION NO. RA 86-03

TABLE OF CONTENTS

	<u>PAGE</u>
<u>ARTICLE I</u>	1
SECTION 100. THE AGENCY.....	1
Section 101 Name of the Agency.....	1
Section 102 Agency Members.....	1
Section 103 Agency Seal.....	1
Section 104 Business Offices of the Agency.....	1
 <u>ARTICLE II</u>	 1
SECTION 200. OFFICERS OF THE AGENCY.....	1
Section 201 Designation of Officers.....	1
Section 202 Terms of Officers.....	2
Section 203 Duties of Officers.....	2
Section 204 Compensation and Expenses of Members.....	3
Section 205 Compensation of Officers.....	3
 <u>ARTICLE III</u>	 3
SECTION 300. EMPLOYEES, AGENTS, AND CONSULTANTS.....	3
Section 301 Appointment of Employees, Agents, and Consultants..	3
Section 302 Use of City Employees for Agency Work.....	3
Section 303 Compensation of Employees, Agents, and Consultants.	4
 <u>ARTICLE IV</u>	 4
SECTION 400. GENERAL.....	4
Section 401 Authority to Bind Agency.....	4
Section 402 Contracts, Deeds, and Other Documents.....	4

TABLE OF CONTENTS
(continued)

Section 403	Payment of Money, Notes, or Other Indebtedness.....	4
Section 404	Funds Advance Agreements.....	4
<u>ARTICLE V</u>		5
SECTION 500. MEETINGS		5
Section 501	Annual Meetings.....	5
Section 502	Regular Meetings.....	6
Section 503	Special Meetings.....	6
Section 504	Closed Sessions.....	6
Section 505	Public Hearings.....	6
Section 506	Adjourning and Continuing Meetings and Public Hearings to Other Times and Places.....	6
Section 507	Meetings to be Open and Public.....	7
Section 508	Quorum.....	7
Section 509	Order of Business.....	7
<u>ARTICLE VI</u>		8
SECTION 600. CONFLICT OF INTEREST		8
<u>ARTICLE VII</u>		8
SECTION 700. AMENDMENT OF THE BYLAWS		8
<u>ARTICLE VIII</u>		8
SECTION 800. SEVERABILITY		8

REDEVELOPMENT AGENCY OF THE
CITY OF EL PASO DE ROBLES

BYLAWS

ARTICLE I.

SECTION 100. THE AGENCY

Section 101. Name of the Agency

The name of the Agency shall be the Redevelopment Agency of the City of El Paso de Robles, hereinafter referred to as the "Agency."

Section 102. Agency Members

The City Council of the City of El Paso De Robles has by Ordinance No. 499 N.S. adopted June 25, 1980 declared the need for a Redevelopment Agency to function in said City and declared itself to be the Agency. The Members of the Agency shall be the Members of the City Council as that body is constituted and shall remain Agency Members only so long as said Members remain on the Council. New Members of the City Council shall automatically become Members of the Agency.

Section 103. Agency Seal

The Agency shall have a seal and the seal of the Agency shall be in the form of a circle and shall bear the name of the Agency and the year of its organization.

Section 104. Business Offices of the Agency

The business offices of the Agency shall be in such location in the City as may be selected from time to time by resolution or motion of the Agency Members. The principal business office of the Agency shall be in the City Hall unless and until changed by resolution or motion of the Agency Members.

ARTICLE II.

Section 200. OFFICERS OF THE AGENCY

Section 201. Designation of Officers

The Officers of the Agency shall be the Chairman, the Vice Chairman, the Executive Director, the Secretary, the Finance Director/Treasurer, the General Counsel, and the Redevelopment Manager.

The Chairman and Vice Chairman shall be elected from among the Members of the Agency.

The City Manager shall serve as Executive Director of the Agency; the City Clerk shall serve as the Secretary of the Agency; the Finance Director shall serve as the Finance Director; the City Treasurer shall serve as the Treasurer of the Agency; the Agency's General Counsel shall be appointed by the Agency Members; and the Community Development Director shall serve as the Redevelopment Manager. Any office not provided for immediately above shall be filled by appropriate action on the part of the Agency Members.

The Agency Members may appoint such other officers (permanent, acting or temporary) as may be appropriate, The Agency Members may fix and determine the qualifications, duties and compensation of Agency officers.

Section 202. Terms of Officers

The Agency Officers shall hold such offices only as long as they hold the appropriate City offices or have retained contracts provided; however, the members may, by majority vote, retain the services of either the Executive Director, the General Counsel, the Secretary, the Finance Director, the Treasurer or the Redevelopment Manager whether or not such officers continue to hold the appropriate City offices.

Section 203. Duties of Officers

The Chairman shall preside at the Agency meetings and perform such other duties as are incident to the office of Chairman.

The Vice-Chairman, in the absence or incapacity of the Chairman, shall perform the duties of the Chairman. The Vice-Chairman shall also perform all other duties incident to the office of the Vice-Chairman. Should the office of the Chairman become vacant, the Vice Chairman shall perform the duties of the Chairman until the Agency Members elect a new Chairman.

The Executive Director is charged with the administration, management, and general supervision of the business and affairs of the Agency.

The Secretary shall keep and maintain the records of the Agency and the minutes of the Agency meetings. The Secretary shall also perform all other duties incident to the Office of Secretary to the Agency. The Secretary shall also keep in safe custody the seal of the Agency. The Secretary shall be authorized to affix the seal to all documents and instruments to be executed for the Agency by vote of the members.

The Finance Director and Treasurer shall supervise the fiscal affairs of the Agency and shall also supervise the care and custody of all moneys of the Agency. The Finance Director and Treasurer shall cause adequate, correct, and regular accounts of the properties, moneys, and transactions of the Agency to be kept and maintained. The Finance Director and Treasurer shall render to the Members of the Agency, whenever requested, a Finance Director's report of the Agency's transactions and financial condition. The Finance Director and Treasurer shall submit to the Members of the Agency significant information and recommendations concerning the fiscal affairs of the Agency. The Finance Director and Treasurer shall also perform all other duties incidental to the office of Finance Director or Treasurer.

The General Counsel shall be in overall charge of the legal affairs of the Agency.

The Redevelopment Manager shall be under the supervision of the Executive Director and shall provide administration, management, and general supervision and guidance as necessary and appropriate to effectuate the implementation of the redevelopment activities.

Section 204. Compensation and Expenses of Members

Members of the Agency may receive their actual and necessary expenses, including traveling expenses, incurred in the discharge of their duties. Such expenses shall be reimbursed upon proper claim submitted to and approved by the Agency. Members of the Agency may receive such other compensation consistent with State and local law.

Section 205. Compensation of Officers

Agency Members may fix and determine the compensation and allowable expenses for the discharge of the Agency duties of Officers, other than Agency Members, by resolution or motion.

ARTICLE III

SECTION 300. EMPLOYEES, AGENTS, AND CONSULTANTS

Section 301. Appointment of Employees, Agents, and Consultants

The Members of the Agency may from time to time select and appoint such agents and consultants, permanent and temporary, as it may require, and determine their qualifications, duties and compensation. The Executive Director is authorized to appoint other employees in positions established by the Agency.

Section 302. Use of City Employees for Agency Work

To minimize the operating and administrative costs of the Agency, it is hereby stated to be the policy of the Agency to utilize consultant and contract services in carrying out the Agency functions. City personnel required to devote services to the Agency shall be deemed Agency employees for such periods. The Agency shall reimburse the City for the City's actual payroll expenses and other costs based upon time spent by City employees and costs incurred in performing Agency duties.

Section 303. Compensation of Employees, Agents, and Consultants

The Agency Members may determine and fix the compensation and allowable expenses for the discharge of Agency duties of employees, agents, and consultants by motion or resolution. City full-time employees who perform services for the Agency shall receive no compensation for Agency services, other than compensation received for their City employment.

ARTICLE IV.

SECTION 400. GENERAL

Section 401. Authority to Bind Agency

No member, officer, agent, or employee of the Agency, without prior authority by a vote of the Agency Members, shall have any power or authority to bind the Agency by any contract, to pledge its credits, or to render it liable for any purpose in any amount. All contracts shall be in written form and submitted to Agency for prior approval.

Section 402. Contracts, Deeds, and Other Documents

A designee of the Agency Members or the Executive Director, shall execute on behalf of the Agency all contracts, deeds, and other documents and instruments as authorized by the Agency Members. Nothing herein contained shall prohibit, or be construed to prohibit, the Agency Members or the Executive Director from authorizing any officer or employee of the Agency to so execute such instruments and documents.

Section 403. Payment of Money, Notes, or Other Indebtedness

All checks, drafts, or other orders for the payment of money, notes, or other evidence of indebtedness issued in the name of or payable to the Agency shall be signed or endorsed by such person or persons and in such a manner as from time to time shall be determined by the Members of the Agency.

Section 404. Fund Advance Agreements

The Agency may: 1) advance funds and/or loan moneys of the Agency to the City of El Paso de Robles; and/or 2) receive funds and/or loan moneys of the City of El Paso de Robles to the Agency to effectuate the redevelopment program. Any and all fund advances and/or loans shall be formalized by the approval and adoption of a Fund Advance Agreement between the City and the Agency. The Fund Advance Agreement shall contain terms and conditions agreed upon by the Agency and the City, as appropriate, to indicate the purpose of the advance and/or loan and repayment requirements, if necessary, to effectuate the redevelopment program.

The Agency may enter into other Fund Advance Agreements with appropriate entities consistent with the provision of the California Community Redevelopment Law and after approval and adoption by the Agency.

ARTICLE V.

SECTION 500. MEETINGS

Section 501. Annual Meetings

The annual meeting of the Agency for election of Chairman and Vice Chairman shall be held at 7:00 p.m. on the first Tuesday of July of each year in the Council Chambers of the City. The Agency Members may establish another meeting place or postpone the time of the meeting.

Section 502. Regular Meetings

Regular meetings shall be held without notice in the Council Chambers of the City (or another place established by Members of the Agency) on the first and third Tuesday of each month at 7:00 p.m., or as soon thereafter as practical, unless the same shall be a legal holiday, in which event such regular meeting shall be held on the next succeeding business day at the same hour and location.

Section 503. Special Meetings

A special meeting may be called at any time pursuant to, and in accordance with, the provisions of the Ralph M. Brown Act (Government Code Section 54950 et. seq.).

Section 504. Closed Sessions

Nothing contained in these Bylaws shall be construed to prevent the Agency Members from holding Closed Sessions during a regular or special meeting concerning any matter permitted by law to be considered in a Closed Session.

Section 505. Public Hearings

All public hearings held by the Agency Members shall be held during regular or special meetings of the Agency Members.

Section 506. Adjourning and Continuing Meetings and Public Hearings to Other Times and Places

The Agency Members may continue or adjourn any meeting to a time and place specified in the order of adjournment. Less than a quorum may so continue to adjourn from time to time. If all Members are absent from any regular meeting, or adjourned regular meeting, the Secretary or Acting Secretary of the Agency may declare the meeting continued or adjourned to a stated time and place and shall cause a written notice of the continuance or adjournment to be given in the same manner as provided for special meetings. A copy of the order or notice of continuance or adjournment shall be conspicuously posted on or near the door of the place where the meeting was held within 24 hours after the time of the continuance or adjournment. When a regular, continued, or adjourned regular meeting is continued or adjourned as provided in this Section, the resulting continued or adjourned regular meeting is a regular meeting for all purposes. When an order of continuance or adjournment of any meeting fails to state the hour at which the continued or adjourned meeting is to be held, it shall be held at the hour specified for regular meetings.

Any hearing being held, or any hearing noticed or ordered to be held at any meeting may by order or notice of continuance or adjournment be continued, recontinued, adjourned, or readjourned to any subsequent meeting in the same manner and to the same extent set forth for the continuance or adjournment of meetings.

If any meeting or hearing is continued or adjourned to a time less than 24 hours after the time specified in these Bylaws or in the order or notice of meeting or hearing, a copy of the order or notice of continuance or adjournment shall be posted immediately following the meeting at which the order or declaration or continuance or adjournment was adopted or made.

Section 507. Meetings to Be Open and Public

All meetings of a majority or more Agency Members to take action or to deliberate concerning Agency business and its conduct shall be open and public to the extent required by law. All persons shall be permitted to attend any such meetings except as otherwise permitted by law.

Section 508. Quorum

A majority of the Members of the Agency shall constitute a quorum for the purpose of conducting its business, exercising its powers, and for all other purposes. A small number of Agency Members may adjourn a meeting from time to time until a quorum is present.

If a quorum is present action may be taken by the Agency only upon a favorable vote of the majority of the total number of Agency Members present.

Section 509. Order of Business

The following shall be the general order of business at Agency Meetings:

- 1) Call to Order.
- 2) Roll Call.
- 3) Approval of Minutes.
- 4) Approval of Warrants
- 5) Consent Calendar.
- 6) Public Hearings.
- 7) Unfinished Business.
- 8) New Business.
- 9) Adjournment.

The Agency Members, by a vote of a majority of the Agency Members, may change the order of business at any meeting.

ARTICLE VI.

SECTION 600. CONFLICT OF INTEREST

The terms of 2 Cal. Adm. Code Section 18730 and any amendments to it duly adopted by the Fair Political Practices Commission, along with the attached Appendices in which officials and employees are designated and disclosure categories are set forth, are hereby incorporated by reference and constitute the Conflict of Interest Codes for the following:

- 1) Officers of the Agency as set forth in Section 200 herein; and
- 2) Employees, agents, and consultants of the Agency as set forth in Section 300 herein.

ARTICLE VII.

SECTION 700. AMENDMENT OF THE BYLAWS

The Bylaws shall be amended only with the approval of at least a majority of the Members of the Agency at an Agency meeting, but no amendment shall be adopted unless at least seven days written notice of the general nature thereof has been sent previously to all members of the Agency.

ARTICLE VIII.

SECTION 800. SEVERABILITY

If any article, section, or portion of these Bylaws is declared to be unconstitutional or violative of the California Community Redevelopment Law or other applicable laws of the State of California, then only that article, section, or portion shall be stricken. Such determination of unconstitutionality shall not affect the remainder of the Bylaws.

ADOPTED August 27, 1980, by Resolution No. 2471 by the Redevelopment Agency of the City of El Paso de Robles and amended August 13, 1986 by Resolution No. RA 86-03 by the Redevelopment Agency of the City of El Paso de Robles.

Nick Russell

CHAIRMAN of the Redevelopment Agency
of the City of El Paso de Robles

I hereby certify and attest that the foregoing Amended Bylaws were adopted by Resolution No. RA 86-03 introduced at a regular meeting of the Redevelopment Agency of the City of El Paso de Robles on August 13, 1986.

Jerry Bankston

SECRETARY of the Redevelopment Agency
of the City of El Paso de Robles