

RESOLUTION NO. _____

RESOLUTION OF THE DOWNTOWN BUSINESS CORRIDOR EIFD PUBLIC FINANCING AUTHORITY FORMING THE CITY OF SANTA ROSA ENHANCED INFRASTRUCTURE FINANCING DISTRICT (DOWNTOWN BUSINESS CORRIDOR), ADOPTING THE INFRASTRUCTURE FINANCING PLAN, AUTHORIZING THE FILING OF A JUDICIAL VALIDATION ACTION, AND DETERMINING OTHER MATTERS IN CONNECTION THEREWITH.

WHEREAS, the City Council (the “City Council”) of the City of Santa Rosa (the “City”) is authorized to initiate the process to establish an enhanced infrastructure financing district pursuant to Chapter 2.99 of Part 1 of Division 2 of Title 5 of the California Government Code, commencing with Section 53398.50 (the “EIFD Law”); and

WHEREAS, the California Legislature (see California Government Code Section 53398.74) has determined that the allocation and payment to an enhanced infrastructure financing district of the portion of property tax revenues for the purpose of paying principal of, or interest on, loans, advances, or indebtedness incurred by the district, shall not be deemed the receipt by a district of proceeds of taxes levied by or on behalf of the district within the meaning or for the purposes of Article XIII B of the California Constitution, nor shall that portion of taxes be deemed receipt of proceeds of taxes by, or an appropriation subject to limitation of, any other public body within the meaning or for purposes of Article XIII B of the California Constitution or any statutory provision enacted in implementation of Article XIII B of the California Constitution; and

WHEREAS, pursuant to the EIFD Law, the City Council adopted Resolution No. RES-2023-076 (“Resolution of Intention”) on April 25, 2023, pursuant to which the City Council, among other things, (i) declared that the City Council proposed and intended to cause the establishment of an enhanced infrastructure district to be known as the “City of Santa Rosa Enhanced Infrastructure Financing District (Downtown Business Corridor)” (“EIFD”) over the boundaries shown on the map of the EIFD attached as Exhibit B thereto to finance public capital facilities and projects of communitywide significance as described in Exhibit A thereto (the “Facilities”), and (ii) declared that, pursuant to the EIFD Law, if the EIFD is approved by the EIFD Public Financing Authority (defined below) in accordance with the EIFD Law, and if the IFP (defined below) is approved by resolution of the City Council and by resolution of the Board of Supervisors (the “Board”) of the County of Sonoma (the “County”) pursuant to Government Code Section 53398.68, in each case after any public hearings required by the EIFD Law, the incremental property tax revenue that is allocated by the City and the County to the proposed EIFD may be used to finance the Facilities and other authorized costs and to pay debt service on bonds and other debt of the EIFD; and

WHEREAS, pursuant to Resolution No. RES-2023-077, which was passed by the City Council on April 25, 2023, the City Council established the “Downtown Business Corridor EIFD Public Financing Authority” (“EIFD Public Financing Authority”), as the governing board of the proposed

EIFD, to be responsible for directing the preparation and implementation of the infrastructure financing plan for the EIFD (“IFP”); and

WHEREAS, on October 19, 2023, pursuant to Resolution No. 23-005, the EIFD Public Financing Authority directed David Taussig and Associates, Inc., dba DTA (the “Designated Official”), to work with the necessary City staff and professionals to prepare a draft of the IFP and make such IFP available to interested parties as required by the EIFD Law; and

WHEREAS, on April 2, 2025, the EIFD Public Financing Authority held a public meeting at which the draft IFP was presented, which public meeting was properly noticed and held in accordance with all applicable law; and

WHEREAS, on May 8, 2025, the EIFD Public Financing Authority held its first public hearing on the draft IFP and considered any written and oral comments, after which the PFA continued the meeting to May 15, 2025; and

WHEREAS, on May 15, 2025, the EIFD Public Financing Authority held the continued first public hearing, after which the PFA adopted a resolution modifying the draft IFP; and

WHEREAS, after the City Council held a noticed public hearing on June 3, 2025, the City Council approved the IFP on June 3, 2025, pursuant to Resolution No. 2025-092, and such resolution is on file with the City Clerk; and

WHEREAS, at a regularly calendared meeting of the Board on June 3, 2025, the Board approved the IFP, pursuant to Resolution No. 2025-0594, and such resolution is on file with the Clerk of the County; and

WHEREAS, on the date hereof, the EIFD Public Financing Authority held its second public hearing on the draft IFP, which public hearing was properly noticed and held in accordance with all applicable law; and

WHEREAS, the IFP is included as Exhibit A to this resolution, which Exhibit A is incorporated herein in its entirety by this reference; and

WHEREAS, the EIFD Public Financing Authority hereby finds and determines that, based on all written and oral protests received by the EIFD Public Financing Authority before the close of its second public hearing on the draft IFP, less than 25 percent of the combined number of landowners and residents in the area of the proposed EIFD who are at least 18 years of age have filed a protest and, accordingly, neither the termination of the proceedings related to the EIFD nor an election related to the EIFD is required; and

WHEREAS, the EIFD Public Financing Authority hereby further finds and determines that all prior proceedings taken by EIFD Public Financing Authority, the City and the County with respect to the proposed establishment of the EIFD and adoption of the IFP are valid and in conformity with applicable law; and

WHEREAS, on the basis of all of the foregoing, EIFD Public Financing Authority has determined at this time to form the EIFD and adopt the IFP; and

WHEREAS, in accordance with Section 53398.57 of the EIFD Law, the EIFD Public Financing Authority, the City and/or the County may file an action in the Sonoma County Superior Court to determine the validity of the creation of the EIFD, the adoption of the IFP, including the division of taxes thereunder, and related matters; and

WHEREAS, all conditions, things and acts required by law to exist, to happen or to be performed precedent to and as a condition of the adoption of the IFP, the formation of the proposed EIFD, and the allocation by the City and County of incremental property tax revenue in accordance with the IFP have existed, happened and been performed in the time, form and manner required by law.

NOW, THEREFORE, BE IT RESOLVED, that the Downtown Business Corridor EIFD Public Financing Authority orders as follows:

1. Recitals. The foregoing recitals are true and correct.
2. Adoption of the IFP. The EIFD Public Financing Authority hereby adopts the IFP; a copy of the IFP was sent to each person or entity required by the EIFD Law.
3. Formation of the EIFD. The EIFD Public Financing Authority hereby forms the EIFD; the boundaries of the EIFD shall be as set forth in the maps and legal descriptions in the IFP.
4. Judicial Validation. The Executive Director and General Counsel to the EIFD Public Financing Authority, in consultation with Jones Hall, A Professional Law Corporation, as bond counsel, are hereby authorized and directed to initiate a judicial validation action with respect to the creation of the EIFD, the adoption of the IFP, the allocation by the City and the County of incremental property tax revenue in accordance with the IFP for the purpose of financing the activities of the EIFD, and all the proceedings relating thereto, and such other matters as the general counsel to the EIFD Public Financing Authority and bond counsel deem appropriate for the EIFD Public Financing Authority to carry out the purposes of the IFP, pursuant to Sections 53398.57 of the EIFD Law and Section 860 et seq. of Code of Civil Procedure.
5. California Environmental Quality Act. The EIFD Public Financing Authority hereby finds that adoption of this resolution is not a “project” under the California Environmental Quality Act, because this resolution does not involve any commitment to a specific project which may result in a potentially significant physical impact on the environment, as contemplated by Title 14, California Code of Regulations, Section 15378(b)(4). Future actions, such as the approval of infrastructure improvements using funding from the EIFD, will be subject to environmental review in accordance with CEQA.

6. Additional Authorization. The Chair, the Vice Chair, the Executive Director, the General Counsel, the Treasurer and the Secretary are hereby authorized, for and in the name of and on behalf of the EIFD, to do any and all things and take any and all actions which they, or any of them, may deem necessary or advisable in order to effectuate the purposes of this resolution; provided however that any such actions be solely intended to further the purposes of this resolution, and are subject in all respects to the terms of the resolution.

7. Ratification. All actions authorized and directed by this resolution, consistent with any documents presented herein, and heretofore taken are hereby ratified, approved and confirmed by the EIFD Public Financing Authority .

8. Notice. That within 15 days after the passage of this resolution, the Secretary shall cause a summary of this resolution to be published at least once, with the names of those members of the EIFD Public Financing Authority voting for and against the resolution, in a newspaper of general circulation published and circulated in the City.

9. Referendum. This resolution shall be subject to referendum as set forth in Section 53398.66(g) of the EIFD Law in accordance with the referendum procedures applicable to cities set forth in Article 2 of Chapter 3 of Division 9 of the California Elections Code provided that (1) all references in such Article to ordinances shall be deemed to refer to this resolution, (2) the relevant legislative body is the EIFD Public Financing Authority, (3) the Secretary of the PFA shall constitute the elections official for the EIFD Public Financing Authority and (4) the relevant voters shall be the voters registered in the boundaries of the EIFD; if no such referendum petition is presented within the period of 30 days, then upon the expiration of such period, or if the resolution has been assented to by a majority of the voters voting on the proposition upon referendum, then upon such proposition having been so assented to, the resolution shall take full and final effect.

10. Effective Date. This resolution shall take effect from and after the date of approval and adoption thereof.

PASSED this 16th day of June, 2025.

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST: _____
Secretary

APPROVED: _____
Chair

APPROVED AS TO FORM: _____
City Attorney

Exhibit A : Infrastructure Financing Plan

EXHIBIT A

Infrastructure Financing Plan