

RESOLUTION NO. RDA 2010-1

A RESOLUTION OF THE REDEVELOPMENT AGENCY OF THE CITY OF ELK GROVE ADOPTING BYLAWS OF THE AGENCY

WHEREAS, in accordance with the provisions of the Community Redevelopment Law (Part 1, commencing with Section 33000 of Division 24 of the Health & Safety Code of the State of California), the City Council of the City of Elk Grove has declared the need for a redevelopment agency to function in the City of Elk Grove, and has designated itself to be the Agency; and

WHEREAS, to assure the orderly process and function of the Agency, it is necessary and desirable for the Agency to adopt bylaws setting forth the operating procedures of the Agency, as authorized by Health and Safety Code Section 33125(d); and

WHEREAS, the Agency staff has prepared bylaws for the Agency, a copy of which is attached to this Resolution as Exhibit A and incorporated herein by this reference.

NOW, THEREFORE, BE IT RESOLVED that the Agency hereby approves the "Bylaws of the Redevelopment Agency of the City of Elk Grove" in the form attached hereto as Exhibit A.

BE IT FURTHER RESOLVED that this Resolution shall take immediate effect upon adoption.

PASSED AND ADOPTED by the Redevelopment Agency of the City of Elk Grove on this 13th day of January 2010.



STEVEN M. DETRICK, VICE CHAIR
of the REDEVELOPMENT AGENCY
OF THE CITY OF ELK GROVE

ATTEST:



SUSAN J. BLACKSTON,
AGENCY SECRETARY

APPROVED AS TO FORM:



SUSAN COCHRAN,
AGENCY COUNSEL

EXHIBIT A

BYLAWS OF THE REDEVELOPMENT AGENCY OF THE CITY OF ELK GROVE

ARTICLE I - THE AGENCY AND AGENCY BOARD

Section 1: Name

The official name of the Agency shall be the "Redevelopment Agency of the City of Elk Grove."

Section 2: Powers

The powers of the Agency are vested in its members then in office, as set forth in Section 4 below. The members of the Agency shall be referred to as "Agency Boardmembers", and the members sitting as the governing body of the Agency shall be referred to as the "Agency Board". The Agency, acting through the Agency Board, shall exercise the powers of a redevelopment agency in accordance with the provisions of the California Community Redevelopment Law (Health and Safety Code Section 33000 et seq.) and all other applicable laws. The Agency Board may delegate such powers as are permitted by law, as appropriate within a suitable framework.

Section 3: Members

The members of the City Council of the City of Elk Grove shall constitute the Agency Board, subject to replacement of members in the manner provided in Health and Safety Code Section 33200(a).

Section 4: Office

The main office of the Agency shall be at 8401 Laguna Palms Way, Elk Grove, CA 95758, or such other location in the City of Elk Grove as the Agency Board designates from time to time by resolution.

ARTICLE II - OFFICERS

Section 1: Officers

The officers of the Agency shall be a Chair, Vice Chair, Treasurer, Secretary and Executive Director. In addition, the City Attorney of the City of Elk Grove shall serve as Agency Counsel.

Section 2: Additional Officers and Assistant Officers

The Agency Board may, by resolution, appoint such additional officers, and assistant officers, establish their terms of office, and define their duties as the Agency determines necessary or desirable.

Section 3: Chair

The Chair shall be the Mayor of the City of Elk Grove, and shall preside at all meetings of the Agency Board. Subject to applicable statutory restrictions, the Chair shall be entitled to vote on all matters coming before the Agency Board. The Chair may execute all documents of whatever description on the Agency's behalf upon prior authorization of the Agency Board.

Section 4: Vice Chair

The Vice Chair shall be the Vice Mayor of the City of Elk Grove. The Vice Chair shall perform the duties of the Chair in the absence or incapacity of the Chair. In case of the resignation or death of the Chair, the Vice Chair shall perform such duties as are imposed on the Chair until such time as a new Chair is elected or appointed, at which time the new Chair shall become Chair. Subject to applicable statutory restrictions, the Vice Chair shall be entitled to vote on all matters coming before the Agency Board. The Vice Chair may execute all documents of whatever description on the Agency's behalf upon prior authorization of the Agency Board.

Section 5: Secretary

The Secretary shall be the City Clerk of the City of Elk Grove. The Secretary shall keep the records of the Agency Board and record all votes, and shall keep a record of the proceedings to be kept for such purposes, and shall perform all duties incident to said office. The Secretary shall keep in safe custody the seal of the Agency, if any, and shall have the power to affix such seal, if any, to all contracts and instruments authorized to be executed by the Agency.

Section 6: Executive Director

The Executive Director shall be the City Manager of the City of Elk Grove or such other person as may be designated by resolution of the Agency Board. The Executive Director shall serve as administrative officer of the Agency, shall be directly responsible to the Agency Board, and, subject thereto, shall have complete control of the responsibility for the execution of the Agency's policies, the administration of its affairs, and the fulfillment of such other duties as from time to time the Agency Board may impose. The Executive Director may execute all documents of whatever description upon prior authorization of the Agency Board or as otherwise required for the intended operation of the Agency's powers, and may designate in writing a deputy to execute any such documents.

Section 7: Treasurer

The Treasurer shall be the Finance Director of the City of Elk Grove. The Treasurer shall be responsible for ascertaining that all funds of the Agency are properly accounted for and are deposited in the name of the Agency in such accounts and financial instruments as are permitted by law and consistent with the investment guidelines and procedures of the City of Elk Grove, which are hereby adopted as the investment guidelines and procedures of the Agency. All checks issued by the Agency shall be signed and/or countersigned by a person authorized to sign checks on behalf of the City of Elk Grove. All persons so authorized shall be bonded for faithful performance of duty in the same manner as they may be bonded in their comparable capacity on behalf of the City of Elk Grove.

Section 8: Additional Duties

The officers of the Agency shall perform such other duties and functions as may from time to time be required by the Agency Board, these Bylaws, other rules or regulations of the Agency, and applicable law. No Agency Boardmember shall be eligible to fill the office of Executive Director, Treasurer or Secretary except as a temporary appointee.

Section 9: Agency Personnel

With the prior authorization of the Agency Board, the Agency may from time to time employ or retain such personnel as it deems necessary to exercise its powers, duties, and functions as prescribed by applicable law.

ARTICLE III - MEETINGS

Section 1: Meeting Time and Place

a. All meetings of the Agency Board shall be open and public, and all persons shall be permitted to attend any meeting of the Agency Board, except that closed sessions may be held when permitted by law.

b. The time and place of regular meetings of the Agency Board shall be the same as the time and place of the regular meetings of the City Council of Elk Grove; provided, however, that if there is no matter scheduled before the Agency Board at the time of a regular meeting of the City Council of Elk Grove, the regular meeting of the Agency Board otherwise scheduled for such time shall be deemed cancelled.

c. The time, place and manner of calling special and emergency meetings and adjourning or continuing regular meetings of the Agency Board shall be in accordance with the Ralph M. Brown Act (Government Code Section 54950 et seq.).

Section 2: Agendas and Conduct of Meetings

The rules, regulations, procedures, and requirements for the noticing, agendaing and conduct of the regular and special meetings of the Agency Board (including, without limitation, the rules, regulations, procedures and requirements for allowing public comment in accordance with Government Code Section 54934.3(b), the requirements for a quorum and for the required number of Boardmembers to take action, and the order and manner for conducting business) shall be the same as the rules, regulations, procedures, and requirements for the regular and special meetings of the City of Elk Grove.

ARTICLE IV - GENERAL PROVISIONS

Section 1: Fiscal Year

The fiscal year of the Agency shall be the same as the fiscal year of the City of Elk Grove.

Section 2: Seal

As authorized by Health and Safety Code Section 33125(b), the Agency may have and use a seal, as deemed necessary and appropriate by the Agency Executive Director or the Agency Secretary upon consultation with Agency Counsel.

Section 3: Compensation

Agency Boardmembers shall serve without compensation and shall receive reimbursement for costs from the Agency in the same manner that they are reimbursed by the City of Elk Grove in their comparable capacity as members of the City Council of the City of Elk Grove.

Section 4: Amendments to Bylaws

Any of these Bylaws may be amended or repealed and new Bylaws may be adopted with the approval of a majority of the members of the Agency Board at a regular or special meeting.

Dated: January 13, 2010

**CERTIFICATION
REDEVELOPMENT AGENCY OF THE CITY OF ELK GROVE
RESOLUTION NO. RDA 2010-1**

STATE OF CALIFORNIA)
COUNTY OF SACRAMENTO) ss
CITY OF ELK GROVE)

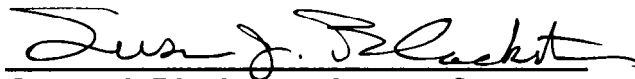
I, Susan J. Blackston, Agency Secretary of the Redevelopment Agency of the City of Elk Grove, California, do hereby certify that the foregoing resolution was duly introduced, approved, and adopted by the Agency Board of the Redevelopment Agency of the City of Elk Grove at a special meeting of said Agency held on January 13, 2010 by the following vote:

AYES : **BOARDMEMBERS:** *Detrick, Cooper, Davis*

NOES: **BOARDMEMBERS:** *None*

ABSTAIN : **BOARDMEMBERS:** *Scherman, Hume*

ABSENT: **BOARDMEMBERS:** *None*


**Susan J. Blackston, Agency Secretary
Redevelopment Agency of the
City of Elk Grove, California**