

CITY OF ALAMEDA RESOLUTION NO. \_\_\_\_\_

APPROVING ASSOCIATE MEMBERSHIP BY THE CITY OF ALAMEDA IN THE CALIFORNIA ENTERPRISE DEVELOPMENT AUTHORITY AND THE EXECUTION OF AN ASSOCIATE MEMBERSHIP AGREEMENT RELATING TO ASSOCIATE MEMBERSHIP OF THE CITY IN THE AUTHORITY

WHEREAS, the City of Alameda, California (the "City") is a municipal corporation, duly organized and existing under the Constitution and the laws of the State of California; and

WHEREAS, the City, upon authorization of the City Council (the "City Council"), may pursuant to Chapter 5 of Division 7 of Title 1 of the Government Code of the State of California, commencing with Section 6500 (the "JPA Law") enter into a joint exercise of powers agreement with one or more other public agencies pursuant to which such contracting parties may jointly exercise any power common to them; and

WHEREAS, the Cities of Selma, Lancaster and Eureka have entered into a Joint Powers Agreement, dated as of June 1, 2006 (the "Agreement"), establishing the California Enterprise Development Authority (the "Authority") and prescribing its purposes and powers; and

WHEREAS, in furtherance of the City's economic development efforts, the City desires to become an associate member of the Authority; and

WHEREAS, under the JPA Law and the Agreement, the Authority is a public entity separate and apart from the parties to the Agreement and the debts, liabilities and obligations of the Authority will not be the debts, liabilities or obligations of the City or the other members of the Authority; and

WHEREAS, the form of associate membership agreement (the "Associate Membership Agreement") between the City and the Authority has been filed with the City, and the members of the City Council, with the aid of the City's staff, have reviewed the Associate Membership Agreement;

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Alameda, hereby finds, determines and declares as follows:

Section 1. Associate Membership in the Authority. The City Council hereby approves associate membership by the City in the Authority.

Section 2. Approval of Associate Membership Agreement. The City Council hereby approves the form of, and authorizes the Mayor, the City Manager or any designee of such officers, to execute the Associate Membership Agreement and authorizes the City Clerk to attest to such signature, in substantially the form on file with the City Clerk, together with any changes therein deemed advisable by the official signing the Associate

Membership Agreement.

Section 3. Official Action. The Mayor, the City Manger, the City Clerk and other officers and officials of the City, are hereby authorized and directed to take all actions and do all things necessary or desirable hereunder with respect to associate membership in the Authority including but not limited to the execution and delivery of any and all agreements, certificates instruments and other documents which they, or any of them, may deem necessary or desirable and not inconsistent with the purposes of this resolution.

Section 4. Effective Date. This Resolution shall take effect upon its adoption by the City Council.

RESOLVED FURTHER, the City Clerk of the City of Alameda shall certify the adoption of this resolution, and thenceforth and thereafter the same shall be in full force and effect.

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I, the undersigned, hereby certify that the foregoing Resolution was duly and regularly adopted and passed by the Council of the City of Alameda in a regular meeting assembled on 3<sup>rd</sup> day of January, 2017 by the following vote to wit:

AYES:

NOES:

ABSENT:

ABSTENTIONS:

IN WITNESS, WHEREOF, I have hereunto set my hand and affixed the official seal of said City this 4<sup>th</sup> day of January, 2017.

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Lara Weisiger, City Clerk  
City of Alameda

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Janet C. Kern, City Attorney  
City of Alameda

### **CERTIFICATE OF THE CITY CLERK**

I, Lara Weisiger, City Clerk of the City of Alameda, hereby certify that the foregoing is a full, true and correct copy of a resolution duly adopted at the meeting of the City Council of the City of Alameda duly and regularly held in Alameda, California, on January 3, 2017, of which meeting all of the members of said Board had due notice.

I 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.

IN WITNESS WHEREOF, I have executed this certificate and affixed the seal of the City of Alameda hereto this \_\_\_ day of \_\_\_\_\_, 2017.

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Lara Weisiger, City Clerk