

## **RESOLUTION NO. 2022-28**

### **RESOLUTION APPROVING ASSOCIATE MEMBERSHIP BY THE CITY OF VISALIA 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 Visalia, 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 Visalia, 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 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 are necessary to effectuate 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 Visalia shall certify the adoption of this resolution, and thenceforth and thereafter the same shall be in full force and effect.

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**PASSED, APPROVED AND ADOPTED** this 2<sup>nd</sup> day of May, 2022 by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

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Steven Nelsen  
Mayor of the City of Visalia

Attest:

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Michelle Nicholson  
Chief Deputy City Clerk

## **CERTIFICATE OF THE CITY CLERK**

I, Michelle Nicholson, Chief Deputy City Clerk of the City of Visalia, 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 Visalia duly and regularly held in Visalia, California, on May 2, 2022, of which meeting all of the members of said City Council 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 Visalia hereto this 2<sup>nd</sup> day of May, 2022.

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Michelle Nicholson, Chief Deputy City Clerk