Resolution No. 2013-08-27-1201-01

STOCKTON CITY COUNCIL

RESOLUTION APPROVING ASSOCIATE MEMBERSHIP BY THE CITY OF STOCKTON IN THE CALIFORNIA ENTERPRISE DEVELOPMENT AUTHORITY AND AUTHORIZING AND DIRECTING THE EXECUTION OF AN ASSOCIATE MEMBERSHIP AGREEMENT RELATING TO THE SAME

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

The City, upon authorization of 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

The City and other public agencies wish to jointly participate in economic development financing programs for the benefit of businesses and nonprofit entities within their jurisdictions offered by membership in the California Enterprise Development Authority ("CEDA") pursuant to an associate membership agreement and Joint Exercise of Powers Agreement Relating to the California Enterprise Development Authority (the "Agreement"); and

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

The form of Associate Membership Agreement ("Membership Agreement") between the City and CEDA is incorporated by this reference as Exhibit 1; and

The City is willing to become an Associate Member of CEDA subject to the provisions of the Membership Agreement; now, therefore,

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF STOCKTON, AS FOLLOWS:

1. The City Council hereby specifically finds and declares that the actions authorized herein constitute public affairs of the City. The City Council further finds that the statements, findings, and determinations of the City set forth in the preambles above are true and correct.
2. The Membership Agreement presented to this meeting and attached hereto as Exhibit 1 is hereby approved. The City Manager, or his designee, is hereby authorized and directed, for and on behalf of the City, to execute and deliver the Membership Agreement in substantially said form, with such changes therein as such officer may require or approve, such approval to be conclusively evidenced by the execution and delivery thereof.

3. The City Manager is hereby authorized and directed to do any and all things including the execution and delivery of any and all documents deemed necessary to carry out, give effect to and comply with the terms, purpose, and intent of this resolution.

4. This resolution shall take effect immediately upon its passage.

PASSED, APPROVED, and ADOPTED August 27, 2013

ANTHONY SILVA, Mayor
of the City of Stockton

ATTEST:

BONNIE PAIGE, City Clerk
of the City of Stockton