

RESOLUTION R2022-__

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NAPA, STATE OF CALIFORNIA, APPROVING ASSOCIATE MEMBERSHIP BY THE CITY OF NAPA IN THE CALIFORNIA ENTERPRISE DEVELOPMENT AUTHORITY AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE ASSOCIATE MEMBERSHIP AGREEMENT

WHEREAS, the City of Napa, California (the “City”) is a California charter city, 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;

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NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Napa, as follows:

1. The City Council hereby finds that the facts set forth in the recitals to this Resolution are true and correct, and establish the factual basis for the City Council’s adoption of this Resolution.

ATTACHMENT 2

2. Associate Membership in the Authority. The City Council hereby approves associate membership by the City in the Authority.
3. Approval of Associate Membership Agreement. The City Council hereby approves the form of, and authorizes 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.
4. Official Action. The City Manager, 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.
5. This Resolution shall take effect immediately upon its adoption.

I HEREBY CERTIFY that the foregoing Resolution was duly adopted by the City Council of the City of Napa at a public meeting of said City Council held on the 18th day of October, 2022, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST: _____

Tiffany Carranza
City Clerk

Approved as to form:

Michael W. Barrett
City Attorney