

# RESOLUTION NO. 2001-026

ADOPTED BY THE SACRAMENTO CITY COUNCIL

ON DATE OF JAN 9 2001

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SACRAMENTO APPROVING THE FORM OF AND AUTHORIZING THE EXECUTION AND DELIVERY OF A JOINT EXERCISE OF POWERS AGREEMENT AND CERTAIN OTHER ACTIONS IN CONNECTION THEREWITH

WHEREAS, pursuant to Articles 1, 2, 3 and 4 of Chapter 5 of Division 7 of Title 1 of the Government Code of the State of California (Sections 6500-6599) (the "Act"), two or more public agencies may by agreement jointly exercise any power common to the contracting parties;

WHEREAS, the Act authorizes public agencies by agreement to create a joint exercise of powers entity which has the power to exercise any powers common to the participating public agencies as specified in such agreement and to exercise the additional powers granted to it pursuant to the Act;

WHEREAS, the City and County of Sacramento intend to create a joint exercise of powers entity for the purposes of acquiring, constructing, improving, providing, developing and preserving entertainment, educational, artistic, literary, cultural and multicultural facilities and programs in order to enhance and preserve the general quality of life as well as the artistic, intellectual, cultural and multicultural life of the Sacramento regional community;

WHEREAS, the City desires to execute and deliver a joint exercise of powers agreement (the "Agreement") for the purposes described in the foregoing recitals, for the purposes set forth, and to exercise the powers provided in, such joint exercise of powers agreement and under the Act;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SACRAMENTO, AS FOLLOWS:

Section 1. The City Council of the City (the "Council") finds and determines that the foregoing recitals are true and correct.

Section 2. The form of the Agreement as presented to the Council is hereby approved. The Mayor, Vice Mayor, the City Manager and the City Treasurer (each an "Authorized Officer") are each hereby authorized and directed, for and in the name and on behalf of the City,

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to execute and deliver the Agreement, which shall be in substantially the form presented to this meeting, with such changes therein, deletions therefrom and additions thereto as such Authorized Officer, as appropriate, may require or approve, which approval shall be conclusively evidenced by the execution and delivery of the Agreement.

Section 3. The Council shall, in accordance with its standard procedures, appoint the initial City representatives to the Board of Directors of the Authority (as defined in the Agreement) for all purposes of representing the City's interests and exercising the authority of the City with respect to the Authority and voting on behalf of the City on all matters delegated to the Board of Directors of the Authority, and such individuals shall keep this Council informed of such matters on a timely basis.

Section 4. The City Clerk of the City is hereby authorized and directed to attest the signature of any Authorized Officer in connection with the execution and delivery of the Agreement.

Section 5. Each Authorized Officer is hereby authorized and directed to do any and all things and to execute and deliver any and all documents which they may deem necessary or desirable in order to implement the Agreement and otherwise to carry out, give effect to and comply with the terms and intent of this resolution; and all such actions heretofore taken by such Authorized Officer is hereby ratified, confirmed and approved.

Section 6. This resolution shall take effect from and after its adoption.

The undersigned, City Clerk of the City of Sacramento, hereby certifies that the foregoing is a full, true and correct copy of the resolution of the City Council of said City duly made at a meeting thereof held on the date specified below, and that said resolution has not been amended, modified or revoked by said City Council.

PASSED AND ADOPTED by the City Council of the City of Sacramento on January 9, 2001, by the following vote:

AYES: COHN, HAMMOND, JONES, PANNELL, WATERS, YEE, MAYOR FARGO

NOES: NONE

ABSENT: NONE

ABSTAIN: SHEEDY

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APPROVED:

Heather Fugo  
Mayor

(SEAL)

ATTEST:

Theresa A. Burrows  
City Clerk

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