

1 [Resolution Approving Associate Membership in the California Enterprise Development
2 Authority]

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4 **Resolution approving associate membership by the City and County of San Francisco**
5 **in the California Enterprise Development Authority, a joint exercise of powers**
6 **authority, and authorizing and directing the execution of an Associate Membership**
7 **Agreement relating to associate membership of the City in the Authority.**

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9 WHEREAS, The City and County of San Francisco, California (the "City"), a political
10 subdivision, duly organized and existing under its Charter and the laws of the State of
11 California; and,

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

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

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

1 WHEREAS, The form of Associate Membership Agreement (Associate Membership
2 Agreement) between the City and the Authority is attached; and,

3 WHEREAS, The City is willing to become an Associate Member of the Authority subject
4 to the provisions of the Associate Membership Agreement; now, therefore, be it

5 RESOLVED, That the Board of Supervisors of the City, hereby finds, determines and
6 declares as follows:

7 Section 1. The Board of Supervisors hereby specifically finds and declares that the
8 actions authorized hereby constitute municipal affairs of the City. The Board of Supervisors
9 further finds that the statements, findings and determinations of the City set forth in the
10 preambles above are true and correct.

11 Section 2. The Associate Membership Agreement presented to this meeting and on
12 file with the Clerk of the Board of Supervisors is hereby approved. The Mayor, the Controller,
13 the Clerk of the Board and other officers or officials of the City are each hereby authorized
14 and directed, for and on behalf of the City, to execute and deliver the Associate Membership
15 Agreement in substantially said form, with such changes therein as such officer may require
16 or approve, in consultation with the City Attorney, such approval to be conclusively evidenced
17 by the execution and delivery thereof.

18 Section 3. The officers and officials of the City are hereby authorized and directed,
19 jointly and severally, to do any and all things and to execute and deliver any and all
20 documents which they may deem necessary or advisable in order to consummate, carry out,
21 give effect to and comply with the terms and intent of this Resolution and the Associate
22 Membership Agreement. All such actions heretofore taken by such officers and officials are
23 hereby confirmed, ratified and approved.

24 Section 4. This Resolution shall take effect immediately upon its passage.
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