

RESOLUTION NO. 2023-10

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CLEARLAKE APPROVING, AUTHORIZING AND DIRECTING THE EXECUTION OF A JOINT EXERCISE OF POWERS AGREEMENT BY AND AMONG THE CITY OF CLEARLAKE, THE CITY OF LAKEPORT, AND THE COUNTY OF LAKE TO FORM THE LAKE COUNTY RECREATION AGENCY

WHEREAS, under the Joint Exercise of Powers Act, comprising Articles 1 through 4 of Chapter 5 of Division 7 of Title 1 (commencing with section 6500) of the California Government Code (the “JPA Act”), local agencies in the State may enter into a joint exercise of powers agreement pursuant to which such agencies may jointly exercise any power common to them and to exercise additional powers granted under the JPA Act; and

WHEREAS, City of Clearlake, the City of Lakeport, and the County of Lake desire to create and establish the Lake County Recreation Agency (the “Authority”) pursuant to the JPA Act; and

WHEREAS, there has been presented to this meeting a proposed form of Joint Exercise of Powers Agreement (the “Agreement”), by and among the City of Clearlake, the City of Lakeport, and the County of Lake, which creates and establishes the Authority; and

WHEREAS, under California law and the Agreement, the Authority will be 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 any of its members, or any representative of any member serving on the governing body of the Authority or as an officer of the Authority;

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

Section 1. Approval of Agreement. The City Council hereby approves the Agreement in substantially the form on file with the City Clerk, together with any changes therein or additions thereto approved by the City Manager, Finance Director or any of their designees (each, an “Authorized Officer”). The Mayor and the Authorized Officers are hereby authorized and directed for and in the name and on behalf of the City to execute the final form of the Agreement, and the City Clerk is hereby authorized and directed to attest to the final form of the Agreement. Execution of the Agreement by the Mayor or an Authorized Officer shall be conclusive evidence of the approval of any changes therein or additions thereto.

Section 2. Effective Date. This Resolution shall take effect from and after the date of its passage and adoption.

PASSED, APPROVED and ADOPTED this \_\_\_ day of \_\_\_\_\_, 2023 by the following roll call vote:

AYES:  
NOES:  
ABSENT:

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Russell Perdock , Mayor

ATTEST:

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Melissa Swanson, City Clerk