

RESOLUTION NO. 73648

**A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN JOSE APPROVING, AUTHORIZING, AND DIRECTING EXECUTION OF A JOINT EXERCISE OF POWERS AGREEMENT RELATING TO THE CALIFORNIA MUNICIPAL FINANCE AUTHORITY**

WHEREAS, the City of San Jose, California (the "City"), has expressed an interest in participating in the economic development financing programs (the "Programs") in conjunction with the parties to that certain Joint Exercise of Powers Agreement Relating to the California Municipal Finance Authority, dated January 1, 2004 (the "Agreement"); and

WHEREAS, there is now before this City Council the form of the Agreement; and

WHEREAS, the City proposes to participate in the Programs and desires that certain projects to be located within the City, be financed pursuant to the Programs and it is in the public interest and for the public benefit that the City do so; and

WHEREAS, the Agreement has been filed with the City, and the members of the City Council of the City, with the assistance of its staff, have reviewed said document;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SAN JOSE AS FOLLOWS;

Section 1. The Agreement is hereby approved and the Director of Finance or designee thereof is hereby authorized and directed to execute said document, with such changes, insertions and omissions as may be approved by said Director of Finance, and the City Clerk or such Clerk's designee is hereby authorized and directed to affix the City's seal to said document and to attest thereto.

Section 2. The Director of Finance, the City Clerk and all other proper officers and officials of the City are hereby authorized and directed to execute such other agreements, documents and certificates, and to perform such other acts and deeds, as may be necessary or convenient to effect the purposes of this Resolution and the transactions herein authorized.

Section 3. The City Clerk of the City shall forward a certified copy of this Resolution and an originally executed Agreement to:

Harriet M. Welch, Esq.  
Squire, Sanders & Dempsey LLP.  
555 South Flower St, Suite 3100  
Los Angeles, CA 90071

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

ADOPTED this 13<sup>th</sup> day of February, 2007, by the following vote:

AYES: CAMPOS, CHIRCO, CORTESE, LICCARDO, NGUYEN,  
PYLE, WILLIAMS; REED

NOES: NONE

ABSENT: CONSTANT

DISQUALIFIED: NONE

VACANT: DISTRICT 4, DISTRICT 6

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CHUCK REED  
Mayor

ATTEST:

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LEE PRICE, MMC  
City Clerk