

RESOLUTION NO. 73649

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN JOSE APPROVING, AUTHORIZING, AND DIRECTING EXECUTION OF AN AGREEMENT RELATING TO SHARING OF FEES WITH 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 ("CMFA"), dated January 1, 2004 (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 City Council has or will take action to approve the execution of the Agreement;

WHEREAS, the City and CMFA desire to enter into an agreement for the sharing of CMFA's issuer fees.

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

Section 1. The Director of Finance or designee thereof is hereby authorized and directed to execute an agreement for the sharing of fees with CMFA, 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 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 4. This resolution shall take effect immediately upon its passage.

ADOPTED this 13th 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

CHUCK REED
Mayor

ATTEST:

LEE PRICE, MMC
City Clerk