



73331

RESOLUTION No. _____**OF THE BOARD OF SUPERVISORS OF THE COUNTY OF NEVADA**(A RESOLUTION AUTHORIZING THE EXECUTION OF A CONTRACT OR AGREEMENT)

BE IT HEREBY RESOLVED by the Board of Supervisors, of the County of Nevada, State of California, that the Chairman of the Board of Supervisors be and he is hereby authorized to execute, on behalf of the County of Nevada, that certain

JOINT EXERCISE OF POWERS AGREEMENT

dated the 26th day of December, 19 73 by
and between said County and Counties of Placer, El Dorado, and Sierra

pertaining to Creating a Multi-County Joint Powers Agency to coordinate
all areawide programs within the Counties of Nevada, Placer, El Dorado,
and Sierra.

PASSED AND ADOPTED by the Board of Supervisors of the County of Nevada at a regular meeting of said Board, held on the 26th day of December, 19 73, by the following vote of said Board:

Ayes: Supervisors Ralph Buchanan, Thomas L. Turner,
Robert W. Long, Lawrence Filer, ~~William Curran~~

Noes: None

Absent: William Curran

ATTEST;

THEO. A. KOHLER, Jr. County Clerk and
ex-officio Clerk of the Board of Supervisors

By Marjorie L. Gaines
Deputy Clerk

Ralph W. Long
Chairman

DATE	COPIES SENT TO
12-27-73	Five certified copies to Mr. Densmore, SEDD to obtain signatures.
	<u>Samara Toluasson</u>

A JOINT EXERCISE OF POWERS AGREEMENT FOR
THE PURPOSE OF CREATING A MULTICOUNTY JOINT
POWERS AGENCY TO COORDINATE ALL AREAWIDE
PROGRAMS WITHIN THE COUNTIES OF NEVADA,
PLACER, EL DORADO, AND SIERRA, STATE OF
CALIFORNIA FOR WHICH FEDERAL/ STATE AND
OTHER FUNDS MAY BE AVAILABLE

(last amended January 22, 1974)

OBJECTIVE

A JOINT EXERCISE OF POWERS AGREEMENT
FOR THE PURPOSE OF CREATING A MULTI-
COUNTY JOINT POWERS AGENCY TO COORDINATE
ALL AREAWIDE PROGRAMS WITHIN THE COUNTIES
OF NEVADA, PLACER, EL DORADO, AND SIERRA,
STATE OF CALIFORNIA FOR WHICH FEDERAL/
STATE AND OTHER FUNDS MAY BE AVAILABLE

THIS AGREEMENT, dated the 11th day of July 1969 and
amended the 22nd day of January, 1974, by and between:

COUNTY OF NEVADA
State of California

COUNTY OF PLACER
State of California

COUNTY OF EL DORADO
State of California

COUNTY OF SIERRA
State of California

and any cities within member counties which hereafter become
parties hereto.

WITNESSETH

WHEREAS, under the provisions of the Government Code,
State of California (Section 6500 et seq), the parties hereto
may jointly exercise powers common to all relative to the
accomplishment of the above-stated objectives, and

WHEREAS, there now exists within the area of jurisdiction
of the parties hereto, needs as defined under the Public Works
and Economic Development Act of 1965 as amended, the Housing

Act of 1954 as amended, the Omnibus Crime Control and Safe Streets Act of 1968 as amended, the Manpower Development and Training Act of 1962 as amended, the Rural Development Act of 1972 as amended, and the Federal Aid Highway Act of 1966 as amended, to jointly undertake solutions to the above related problems, and

WHEREAS, the parties hereto desire to create and participate in the Joint Powers Agency hereinafter established,

NOW, THEREFORE, in consideration of the mutual promises, covenants and conditions hereinafter contained, the parties hereto agree as follows:

ARTICLE I - PURPOSE

The immediate purpose of this agreement is to accomplish a unified action by local governments in developing solutions to multi-county problems by the creation of a Joint Powers Agency which, among other purposes, will support an Areawide Planning Organization, a Non-Metropolitan Clearinghouse, an Economic Development District, Law Enforcement and Criminal Justice Planning, Ancillary Manpower Planning, Transportation Planning, Comprehensive Health Planning, Ageing Planning and any other multi-county planning function that the Joint Powers Agency may see fit to establish. The Joint Powers Agency may receive county, state and federal grants and disburse them for committee planning and program implementation.

An annual plan will be prepared under directions from the committees and then be submitted to the Joint Powers Agency for

their approval before transmission to other agencies for inclusion in their individual general plans and inclusion in the areawide plan sponsored by the agency.

Each committee established by the Joint Powers Agency is responsible for the preparation, maintenance and updating of the committee planning elements.

In addition, the Joint Powers Agency may conduct other studies and provide assistance and counsel to member jurisdictions and others as may be requested.

ARTICLE II - TERM

This agreement shall become effective as of the date of approval of all the counties named herein and shall continue in full force and effect until terminated as set forth in Article VI.

ARTICLE III - MEMBERSHIP

Membership of the Joint Powers Agency shall consist of two members from each member county selected in the manner set forth below, all of whom shall be elected officials of local county or city member jurisdictions.

Each member county shall have one member appointed by the Board of Supervisors and the combined member cities of each county shall have one voting member on the Joint Powers Agency appointed by the respective City Councils, provided, that if there are no member cities within the county, the Board of Supervisors shall appoint the second member who shall be an elected official of a city.

A. Officers

The Joint Powers Agency shall elect a chairman, a vice-chairman, and a secretary-treasurer to serve for one year. The executive director will be hired and subject to dismissal by the Joint Powers Agency.

B. By-Laws

The Agency may adopt such By-Laws as are deemed necessary and may from time to time adopt such rules and regulations for the conduct of its meetings and affairs as may be required. Any By-Laws or rules and regulations adopted by the Agency may be amended at any time by majority vote.

C. Committees

The Agency shall appoint such committees as are necessary, except for the special committee named below which shall be appointed as set forth in Article IV, Section B. All functions of the special committee shall be subject to review by the Joint Powers Agency. The Agency shall recognize as a special committee for economic development the Board of Directors of the Economic Development District, which Board of Directors shall be the governing body of the non-profit corporation formed under Article IV, Section A, Paragraph 3 hereof. The corporation will be the Joint Powers Agency's administrative vehicle as long as this arrangement is mutually satisfactory. This Economic Development

District shall be constructed to include broad representation from all segments of the community including business, labor, government, education, minorities, and the economically deprived. Membership in new committees formed under this Joint Powers Agreement or by order of the Joint Powers Agency shall be representative of the Agency. Such new committees and the members therein shall not be deemed established and appointed until ratified by the member County Boards of Supervisors.

ARTICLE IV - BOARD OF DIRECTORS OF ECONOMIC DEVELOPMENT
DISTRICT (EDD)

A. The governing body of the Joint Powers Agency shall fund an Economic Development District Board of Directors whose functions and duties shall be as follows:

1. Perform as the Joint Powers' administrative vehicle;
2. Creation and establishment of an Economic Development District whose boundaries shall coincide with those of the Joint Powers Agency;
3. Continuation of the non-profit corporation formed under state statutes;
4. Make application for and accept Federal grants. Application for all grants shall be subject to prior review and approval by the Joint Powers Agency meeting in open session;
5. Prepare, maintain, review, update and make

progress reports on an Economic Development plan. The plan will be forwarded to the Joint Powers Agency.

6. May assist area and local Overall Economic Development Program organizations and staff members in the preparation of applications to state and federal agencies for the purpose of obtaining loans, grants, and technical services;
7. May assist local development corporations and the private sector in the applications for loans to be used in conjunction with new and expanded business pursuits by private enterprise;

8. Budgets

The Joint Powers Agency may authorize the Economic Development District Board of Directors to prepare the Agency's annual budget taking into account federal cost sharing and contributions of local funds and services from member jurisdictions which shall be appropriate to meet needs of the Joint Powers Agency's work program and with costs to be borne by the County members proportionately based upon assessed valuation of real property within each individual county. All budgets shall be subject to review and approval by the Joint Powers Agency. The total budget shall not exceed by 10 percent that for the previous fiscal year, without consent of all of the

participating counties acting through their Boards of Supervisors. The proposed budget shall be distributed to members by 1, March of each year.

9. Reports

The Economic Development District Board of Directors shall prepare and submit annual progress reports to the Joint Powers Agency and shall make additional reports as may be required or be appropriate.

B. Membership - Economic Development District

1. The membership of the Economic Development District Board of Directors shall be selected in the following manner: five (5) members shall be appointed from each county, to include one (1) elected county official, not a member of the Joint Powers Agency, appointed by the Board of Supervisors; one (1) elected city official, not a member of the Joint Powers Agency, to be appointed by the member cities of each county, or by the Board of Supervisors if there is no member city; and three (3) members to be appointed at large by the Board of Supervisors of each county to achieve representation as set forth in Article III, Section C, hereof, from a list containing at least six names submitted by the designated Overall Economic

Development Program (OEDP) organization of that county. The Joint Powers Agency may appoint one (1) member.

2. Terms of the members of the Board of Directors of the Economic Development District shall be for three years with staggered sequence of duration for each one-third of the membership.

ARTICLE V - POWERS

- A. The Joint Powers Agency shall have the power, in its own name, to accept contributions; gifts and grants; make and enter into contracts; to sue and be sued; to incur debts, liabilities or obligations, to hire an executive director and to hire, through the executive director, the staff necessary for the accomplishment of the purposes set forth in this agreement within the budgeted funds available.

ARTICLE VI - TERMINATION

Notwithstanding anything to the contrary herein before contained, it is understood and agreed that any party to this agreement may cease to be a party hereto and may withdraw from membership in the Joint Powers Agency by the adoption by its legislative body of a resolution of intention to withdraw and by giving the secretary-treasurer of the agency and the other parties to this agreement written notice of its intention to withdraw addressed ninety (90) days before the effective date of withdrawal, but in no case to be effective prior to the end

of the current fiscal year.

If at any time after the effective date of this agreement more than fifty percent (50%) of the counties who are parties to this agreement have withdrawn, this agreement shall terminate.

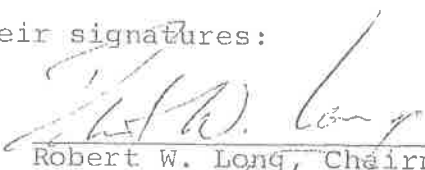
Upon the termination of this agreement, any money or assets in possession of the agency after payment of all liabilities, costs, expenses and charges incurred under this agreement shall be returned to the parties in proportion to their contributions determined as of the time of termination.

ARTICLE VII - CITIES PARTICIPATION

Any city lying within the member counties may participate in this agreement. Such city may, by resolution of its governing body, agree to be bound by the provisions of this agreement and shall become a party thereto by signing this agreement. Such city shall thereafter be entitled to participate on the governing body of the Joint Powers Agency as provided in Article III.

IN WITNESS WHEREOF, the undersigned counties of the State of California have executed this agreement upon the respective dates set forth after their signatures:


COUNTY OF NEVADA


Robert W. Long, Chairman

December 26, 1973
Date of Approval

Board of Supervisors

COUNTY OF PLACER


Alex Ferreira, Chairman

Date of Approval

Board of Supervisors

COUNTY OF EL DORADO

Thomas L. Stewart JAN 2 1974
Thomas L. Stewart, Chairman Date of Approval
Board of Supervisors
Attest: Carl A. Kelly, County Clerk
ex-officio Clerk of the Board

Jan S. Keotz
COUNTY OF SIERRA

By Thomas F. Booth
Deputy Clerk

Thomas F. Booth, Chairman Date of Approval
Board of Supervisors

CITY OF
AUBURN

Henry Gonzales
Henry Gonzales Date of Approval
Mayor

CITY OF
COLFAX

S. C. Ballenger 1-22-74
S. C. Ballenger Date of Approval
Mayor

CITY OF
GRASS VALLEY

Edward Tellam 1-22-74
Edward Tellam Date of Approval
Mayor

CITY OF
LINCOLN

Nello J. Stefani
Nello J. Stefani Date of Approval
Mayor

CITY OF
LOYALTON

Milton Gottardi
Milton Gottardi Date of Approval
Mayor

CITY OF
NEVADA CITY

John Rankin 1-29-74
John Rankin
Mayor

CITY OF
PLACERVILLE

Mark Tetrault
Mark Tetrault Date of Approval
Mayor

CITY OF
ROCKLIN

Faul I. Hoyenga 2/13/74
Faul I. Hoyenga Date of Approval
Mayor