

RESOLUTION NO. 2007-116

A RESOLUTION OF THE LODI CITY COUNCIL RESCINDING
AND TERMINATING THE 49-99 COOPERATIVE LIBRARY
SYSTEM JOINT POWERS AGENCY AGREEMENT

WHEREAS, on March 15, 1967, and renewed on September 24, 1973, this public entity has executed a joint powers agreement with various other public entities known as the "Agreement for 49-99 Cooperative Library System," as well as amendments thereto (hereinafter the "JPA Agreement"); and

WHEREAS, this agency and each of the other agencies, which is a signatory of and party to said JPA Agreement, now desires to rescind and terminate the JPA Agreement; and

WHEREAS, after due diligence and reasonable investigation, the JPA has determined that it has no assets in the form of cash, receivables, real or personal property, except a single account to be held in trust until formation of the new cooperative system; and that it has no liabilities, in the form of accounts payables or other debt or monetary obligation, tangible or intangible; and therefore has no assets or debts to distribute to its former members or ask them to assume.

NOW, THEREFORE, BE IT RESOLVED AND DETERMINED AS FOLLOWS:

1. The City of Lodi hereby terminates and rescinds the JPA Agreement entered into on March 15, 1967, and renewed on September 24, 1973, to be effective the last date on which any current member thereof passes a similar resolution to terminate and rescind that agreement.

2. If it is subsequently discovered that the JPA does have additional assets or liabilities, any such assets or liabilities shall be transferred, on a pro-rata basis, to each party to the JPA Agreement, including this agency, which shall assume its pro-rata share thereof.

Dated: June 20, 2007

I hereby certify that Resolution No. 2007-116 was passed and adopted by the City Council of the City of Lodi in a regular meeting held June 20, 2007, by the following vote:

AYES: COUNCIL MEMBERS – Katakian, Mounce, and Mayor Johnson

NOES: COUNCIL MEMBERS – Hansen and Hitchcock

ABSENT: COUNCIL MEMBERS – None

ABSTAIN: COUNCIL MEMBERS – None



RANDI JOHL
City Clerk