

GARDEN GROVE CITY COUNCIL

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GARDEN GROVE, CALIFORNIA,
TO DISSOLVE THE JOINT POWERS EMPLOYEE BENEFIT AUTHORITY AND TERMINATE
THE JOINT EXERCISE OF POWERS AGREEMENT

WHEREAS, on or about October 19, 1987, the City of Costa Mesa and the City of Newport Beach entered into a Joint Exercise of Powers Agreement ("Agreement") creating the Joint Powers Employee Benefit Authority ("Authority"); and

WHEREAS, the City of Garden Grove was subsequently added on June 18, 1991 as a party to the Agreement and as a member of the Authority; and

WHEREAS, the purpose of the Agreement was to create an Authority to establish, operate and maintain a comprehensive program of employee benefits in order to achieve economies of scale, improve efficiency in program administration and realize a maximum return within authorized parameters; and

WHEREAS, Section 17.01 of the Agreement provides that the governing bodies of the members of the Authority may determine that the public interest will not be served by continuance of the Agreement; and

WHEREAS, Section 17.01 further provides that if the governing bodies of at least three-quarters (3/4) of the members of the Authority adopt a Resolution of Termination within any one hundred twenty (120) day period, then the Agreement shall be terminated at the end of the fiscal year, per the Agreement specified by the Parties as ending on June 30, 2021; and

WHEREAS, the Garden Grove City Council has determined that the public interest will not be served by continuing the Agreement and desires to adopt this resolution to terminate the Agreement and dissolve the Authority.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Garden Grove that:

Section 1. The City Council hereby elects to terminate the Agreement and dissolve the Authority.

Section 2. The City Council authorizes the City Manager or his or her designee to take all steps necessary to wind down and dissolve the Authority, including but not limited to execution of any and all documents required to dissolve the Authority.

Section 3. The recitals provided in this resolution are true and correct and are incorporated into the operative part of this resolution.

Section 4. If any section, subsection, sentence, clause, or phrase of this resolution is, for any reason, held to be invalid or unconstitutional, such decision shall not affect the validity or constitutionality of the remaining portions of this resolution. The City Council

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hereby declares that it would have passed this resolution, and each section, subsection, sentence, clause, or phrase hereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared invalid or unconstitutional.

Section 5. This Resolution shall take effect from and after its date of adoption by the City Council.

ADOPTED this 8th day of December, 2020.