

RESOLUTION NO. 23-08

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE NORTH COUNTY DISPATCH JOINT POWERS AUTHORITY APPROVING THE FORM AND AUTHORIZING THE EXECUTION AND DELIVERY OF AN AGREEMENT AND APPROVING CERTAIN OTHER ACTIONS IN CONNECTION WITH ADDING THE CITY OF ESCONDIDO TO ITS MEMBER AGENCIES

WHEREAS, the North County Dispatch Joint Powers Authority (the “Authority”) was created in July 1984 and currently has eight members: the Rancho Santa Fe Fire Protection District, the North County Fire Protection District, and the cities of Carlsbad, Encinitas, Oceanside, San Marcos, Solana Beach, and Vista (each, a “Member Agency,” collectively, the “Member Agencies”); and

WHEREAS, the Authority is authorized to solicit and add additional Member Agencies; and

WHEREAS, the city of Escondido (“Escondido”) has engaged in negotiations with the Authority’s representatives after having expressed interest in joining the Authority as a Member Agency and the Authority’s Board of Directors has previously authorized staff to work with Escondido’s representatives to determine if an agreement can be reached for the terms and conditions acceptable to Escondido and the Authority in adding Escondido as a Member Agency; and

WHEREAS, negotiations with Escondido have resulted in the development of that certain Joint Exercise of Powers Agreement Between the North County Dispatch Joint Powers Authority and the City of Escondido (the “Escondido Agreement”), as presented to the Board of Directors at this meeting, and which requires the approval of the legislative bodies of both Escondido and the Authority; and

WHEREAS, it is expected that the City Council for Escondido (the “City Council”) will consider approval of the Escondido Agreement at one of its regular meetings in October of 2023 requesting that the Authority add Escondido as a Member Agency; and

WHEREAS, the Authority desires to add Escondido as a Member Agency;

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the Authority as follows:

1. Escondido’s membership in the Authority shall be governed by the Escondido Agreement.
2. Escondido may be added as a Member Agency, and the Board Chair of the Authority is hereby authorized to, and shall, execute the Escondido Agreement, upon approval

of the Escondido Agreement by the City Council, and execution of it by the Mayor of the City of Escondido, subject to those conditions set forth in Section 3, below.

3. The Escondido Agreement approved by the City Council shall be substantially in the form as presented to this meeting, with such changes as may be approved by the Authority Administrator provided, however, that any changes to the Escondido Agreement approved by the City Council that modifies Sections 4 (*Buy-In Fee/Disposition of Assets*), 5 (*Start-Up Costs*), or 6 (*Additional Costs*), which materially change (a) Escondido's timeline for membership in the Authority, (b) the length of the Distribution Waiver period, (c) the not-to-exceed amount of the Start Up Costs, or (d) the description of Additional Costs (as Distribution Waiver, Start Up Costs, and Additional Costs are defined in the Escondido Agreement), must be approved by this Board of Directors.
4. Each of the Board Chair, the Chief Vice-Chair, and the Administrator of the Authority, or the designee thereof, is hereby authorized and directed, for and in the name of the Authority, to execute and deliver any other documents as may be deemed necessary or appropriate to implement the amendment to the Joint Exercise of Powers Agreement by and among the Member Agencies to add Escondido as a Member Agency, such approval to be conclusively evidenced by the execution and delivery of such documents.
5. The Escondido Agreement is hereby approved and will be executed by the Chair.

PASSED AND ADOPTED at a regular meeting of the Board of Directors for the North County Dispatch Joint Powers Authority held on the 23rd day of August, 2023.

AYES:

NOES:

ABSENT:

ABSTAIN:

Ken Munson, Chair of the Board

ATTEST:

Christopher D Herren, Secretary of the Board