

RESOLUTION NO. ____

A RESOLUTION OF THE COUNCIL OF THE CITY OF
FRESNO, CALIFORNIA, TO APPROVE
MEMBERSHIP IN THE FIRST PUBLIC HYDROGEN
AUTHORITY AND AUTHORIZING THE CITY
MANAGER OR THEIR DESIGNEE TO EXECUTE A
COUNTERPART TO THE JOINT POWERS
AUTHORITY AGREEMENT

WHEREAS the CITY OF FRESNO ("Agency") is a municipal corporation organized and operating under the laws of the State of California, with the Council of the City of Fresno ("Governing Body") serving as the governing body of the Agency.

WHEREAS the First Public Hydrogen Authority ("Authority") is a joint exercise of powers authority created under the Joint Exercise of Powers Act (California Government Code Section 6500, *et seq.*) by that certain agreement dated December 10, 2024, ("JPA Agreement") attached hereto as Exhibit "A".

WHEREAS, Section 13 of the JPA Agreement, provides that public agencies may be added as parties to the JPA Agreement, and thereby become members of the Authority, upon the following: (i) the filing with the Authority of an executed counterpart of the JPA Agreement, attached herewith as Exhibit "B", together with a copy of the resolution of the governing body of the joining public agency approving the JPA Agreement and the execution and delivery thereof; and (ii) adoption of a resolution of the Authority's governing body approving the addition of such public agency as a member;

WHEREAS the Council desires that the City to become a party to the JPA Agreement, and a member of the Authority, and finds that doing so will further the public health, safety, and general welfare of the community.

1 of 5

Date Adopted:

Date Approved:

Effective Date:

City Attorney Approval:



Resolution No.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Fresno as follows:

1. Based on the staff report, presentation, public comment, and other matters presented to the Council during its consideration of this matter, the Council finds and declares that the foregoing recitals are true and correct and hereby incorporated as substantive findings of this Resolution.

2. The Council hereby approves and authorizes the City of Fresno to enter into the JPA Agreement and thereby approves and authorizes the Agency to become a member of the Authority. The City Manager or their designee is authorized and directed to execute a counterpart to the JPA Agreement on behalf of the City of Fresno and file the same, along with a copy of this Resolution, with the Authority pursuant to Section 13 of the JPA Agreement.

3. This resolution shall be effective upon final approval.

* * * * *

STATE OF CALIFORNIA)
COUNTY OF FRESNO) ss.
CITY OF FRESNO)

I, TODD STERMER, City Clerk of the City of Fresno, certify that the foregoing resolution was adopted by the Council of the City of Fresno, at a regular meeting held on the _____ day of _____ 2025.

AYES :
NOES :
ABSENT :
ABSTAIN :

TODD STERMER, MMC
City Clerk

By: _____ Date
Deputy

APPROVED AS TO FORM:
ANDREW JANZ
City Attorney

By: _____ Date
Brent Richardson
Deputy City Attorney

Attachment: Exhibit A

EXHIBIT A

JOINT POWERS AGREEMENT

EXHIBIT B

**COUNTERPART TO
JOINT EXERCISE OF POWERS AGREEMENT
FOR FIRST PUBLIC HYDROGEN AUTHORITY**

THIS COUNTERPART TO JOINT EXERCISE OF POWERS AGREEMENT FOR FIRST PUBLIC HYDROGEN AUTHORITY, dated as of December 10, 2024, is entered into by the City of Fresno with regard to that certain Joint Exercise of Powers Agreement for First Public Hydrogen Authority attached hereto ("JPA Agreement").

By its authorized signature below, the City of Fresno agrees to be bound by each and all of the terms of the JPA Agreement.

CITY OF FRESNO

By _____
Name:
Title:

ATTEST:

TODD STERMER, MMC
City Clerk

By: _____
Date
Deputy