

RESOLUTION NO. _____**A RESOLUTION AUTHORIZING THE EXECUTION AND DELIVERY OF THE LANCASTER COUNTY CORRECTIONAL FACILITY JOINT PUBLIC AGENCY AGREEMENT**

WHEREAS, the Joint Public Agency Act (Chapter 13, Article 25, Reissue Revised Statutes of Nebraska, as amended, the “**Act**”) permits local government units to make the most efficient use of their taxing authority and other powers by enabling them to cooperate with other governmental units on a basis of mutual advantage and to provide services and facilities in a manner and pursuant to forms of governmental organization that will accord best with geographic, economic, population, and other factors influencing the needs and development of local communities, and

NOW THEREFORE, BE IT RESOLVED that the Council of The City of Lincoln, Nebraska (the “**City**”), finds and determines that there exists a need for the creation of a joint public agency (the “**Agency**”) pursuant to the Act to facilitate acquiring, constructing, equipping, furnishing and financing correctional facilities for the benefit of residents of the City as provided in the Act. The participants in the Agency will be the City and The County of Lancaster, Nebraska (the “**County**”).

NOW THEREFORE BE IT FURTHER RESOLVED that the form, terms and provisions of the proposed Joint Public Agency Agreement Creating the Lancaster County Correctional Facility Joint Public Agency (the “**Agreement**”) between the City and the County are, in all respects, hereby approved, authorized, ratified and confirmed, and the Mayor and the Clerk are each separately and individually hereby authorized and directed to execute, acknowledge and deliver the Agreement, including counterparts thereof, in the name and on behalf of the City. The Agreement, as executed and delivered, shall be in substantially the form attached hereto as **Exhibit A** subject to such changes therein as shall be approved by the Mayor, such execution thereof to constitute conclusive evidence of the City’s approval of any and all changes or revisions therein from the form of the Agreement now set forth in **Exhibit A**; and from and after the execution and delivery of the Agreement by the City, the officers, agents and employees of the City are hereby authorized, empowered and directed to do all such acts and things and to execute all such documents as may be necessary to carry out and comply with the provisions of the Agreement.

NOW THEREFORE BE IT FURTHER RESOLVED that (a) if any provision of this Resolution shall be held or deemed to be or shall, in fact, be illegal, inoperative or unenforceable, the same shall not affect any other provision or provisions herein contained or render the same invalid, inoperative or unenforceable to any extent whatsoever; (b) to the extent that the provisions of this Resolution conflict with provisions of prior resolutions, or parts thereof, the provisions of this Resolution shall control, to the extent of such conflicts; and (c) this Resolution shall be in full force and effect immediately upon its passage and approval.

[The remainder of this page intentionally left blank.]

INTRODUCED BY:

PASSED _____, **2008.**

ABSENT OR NOT VOTING:

AYES: _____

NAYS: _____

Approved as to Form:

CONFLICT OF INTEREST:

City Attorney

APPROVED: _____, **2008.**

Bond Counsel

Mayor