

RESOLUTION NO. 2324**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SOLEDAD
AUTHORIZING THE FIRST AMENDMENT TO THE JOINT POWERS
AGREEMENT BETWEEN THE CITY OF SOLEDAD AND STATE
OF CALIFORNIA, DEPARTMENT OF CORRECTIONS FOR
EXPANSION OF THE CITY'S WASTEWATER TREATMENT/
CONVEYANCE FACILITIES AND SERVICE TO THE
CALIFORNIA STATE PRISON - MONTEREY
COUNTY AT SOLEDAD**

BE IT RESOLVED by the Council of the City of Soledad that the Mayor and/or City Manager is hereby, authorized and directed for and on behalf of the Council of the City of Soledad, to execute a First Amendment to the Joint Powers Agreement for the expansion of the City's Wastewater Treatment/Conveyance Facilities and service to the California State Prison - Monterey County at Soledad, in the form of the document hereunto attached, marked Exhibit "A", and by reference made a part hereof, with the exception that the Agreement acknowledge that the state prison in Monterey County is in the City of Soledad.

PASSED AND ADOPTED by the City Council of the City of Soledad at a regular meeting duly held on the 28th day of February, 1994, by the following vote:

AYES, and in favor thereof, Councilmembers: John Holguin, Ben Jimenez, Jr., Richard Ortiz, Mayor Pro Tem Fabian Barrera, Mayor Fred Ledesma

NAYES, Councilmembers: None

ABSENT, Councilmembers: None

F. L.

C93 5015
Amendment No 1

**FIRST AMENDMENT TO THE JOINT POWERS AGREEMENT BETWEEN THE
CITY OF SOLEDAD AND THE STATE OF CALIFORNIA, DEPARTMENT
OF CORRECTIONS, FOR EXPANSION OF THE CITY OF SOLEDAD'S
WASTEWATER TREATMENT AND CONVEYANCE FACILITIES AND
SERVICE TO THE CALIFORNIA STATE PRISON
MONTEREY COUNTY AT SOLEDAD**

WHEREAS, the CITY OF SOLEDAD (CITY) and THE CALIFORNIA DEPARTMENT OF CORRECTIONS (CDC), by ante through their duly authorized representatives, have made and entered into a Joint Powers Agreement (JPA) for, inter alia, for CDC to fund a portion of the CITY's capital improvement costs related to the construction of the force main/expansion of the CITY's wastewater treatment facility and for the CITY to provide wastewater treatment services to the California State Prison - Monterey County in Soledad;

WHEREAS, the City Council of the CITY and the State Board of Public Works have approved, accepted and ratified said Joint Powers Agreement,

WHEREAS, the CITY's contractors and consultants have or are about to commence work on said improvements for a amount not to exceed \$1,373,000.00 which represents CDC's contribution toward costs of the expansion project Said amount will become due to the CITY as work is completed.

NOW, THEREFORE, THE PARTIES AGREE AS FOLLOWS.

1. As the first amendment to the Joint Powers Agreement, CDC agrees to pay the CITY an amount not to exceed \$1,373,000.00. These funds constitute CDC's obligation to contribute towards the CITY's capital improvement costs related to the construction of the forcemain/expansion of the wastewater treatment facility. This payment is made pursuant to the Joint Powers Agreement and pursuant to the authority of Government Code

This amendment shall become effective as of the date it is fully executed by all the parties.

IN WITNESS OF THE FOREGOING the parties, by and through their duly authorized representatives, have made and entered this Agreement of the date of execution by both parties.

CITY OF SOLEDAD

By: [Signature]

Its: MAYOR

DEPARTMENT OF CORRECTIONS

BY: [Signature]

FRANK E. RENWICK, Chief

Its: Contract & Audit Mgmt Branch

Date. FEBRUARY 28, 1994

Date. 3/15/94

This agreement is hereby approved pursuant to the authority granted by Penal Code Section 7001.

By: [Signature]

RONALD E YORK, Manager
Construction Contracts Section

Date: 3/15/94