

**Board of Supervisors
of the County of Monterey**

Resolution No. _____
Authorizing the execution and delivery by the)
County of Monterey of an Amended and Restated)
Joint Exercise of Powers Agreement; and)
Authorizing Related Actions.)
_____)

WHEREAS, the County of Monterey (the “County”) and the East Garrison Community Services District (the “Community Services District”) entered into the Joint Exercise of Powers Agreement, dated as of March 28, 2006 (the “Original Agreement”), providing for, among other things, the joint exercise of certain common powers of the County and the Community Services District and the creation of the East Garrison Public Financing Authority (the “Authority”);

WHEREAS, the Original Agreement provides that the Original Agreement may be amended at any time by written consent of the County and the Community Services District;

WHEREAS, the County and the Community Services District desire to amend the Original Agreement so as to modify the constitution of the Governing Board of the Authority, to eliminate certain unnecessary provisions of the Original Agreement and to clarify and simplify certain of the remaining provisions of the Original Agreement;

WHEREAS, in order to implement such amendments, the County and the Community Services District propose to enter into an Amended and Restated Joint Exercise of Powers Agreement amending and restating the Original Agreement (such Amended and Restated Joint Exercise of Powers Agreement, in the form presented to this meeting, with such changes, insertions and omissions as are made pursuant to this Resolution, being referred to herein as the “Amended and Restated Agreement”); and

WHEREAS, a form of the Amended and Restated Agreement has been submitted to this meeting;

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of the County of Monterey, as follows:

Section 1. All of the recitals herein contained are true and correct and the Board of Supervisors of the County (the “Board”) so finds.

Section 2. The form of the Amended and Restated Agreement, on file with the Clerk of the Board, is hereby approved. Each of the Chair of the Board, and any such other member of the Board as the Chair may designate, the County Administrative Officer of the County, the Auditor-Controller of the County, the Treasurer of the County, the Deputy Auditor-Controller, County Debt Manager, and any such other officer of the County as such County Administrative Officer, Auditor-Controller or Treasurer may designate (the “Authorized Officers”), is hereby authorized,

and any one of the Authorized Officers is hereby directed, for and in the name of the County, to execute and deliver the Amended and Restated Agreement in the form submitted to this meeting, with such changes, insertions and omissions as the Authorized Officer executing the same may require or approve, such requirement or approval to be conclusively evidenced by the execution of the Amended and Restated Agreement by such Authorized Officer.

Section 3. The Authorized Officers and the officers and employees of the County are hereby authorized and directed, jointly and severally, to do any and all things which they may deem necessary or advisable in order to consummate the actions herein authorized and otherwise to carry out, give effect to and comply with the terms and intent of this Resolution.

Section 4. All actions heretofore taken by the officers, employees and agents of the County with respect to the referred to herein are hereby approved, confirmed and ratified.

Section 5. This Resolution shall take effect immediately upon its adoption.

PASSED AND ADOPTED by the Board of Supervisors of the County of Monterey on September 20, 2016.

Jane B. Parker
Chair, Board of Supervisors of the
COUNTY OF MONTEREY

(SEAL)

ATTEST:

Clerk of the Board of Supervisors of the
County of Monterey

CERTIFICATE OF CLERK

I, Gail T. Borkowski, Clerk of the Board of Supervisors of the County of Monterey, California, do hereby certify that the foregoing is a full, true and correct copy of a resolution duly adopted at a regular meeting of the Board of Supervisors of the County of Monterey duly and regularly held at the regular meeting place thereof on September 20, 2016 of which meeting all of the members of said Board had due notice, and at said meeting said resolution was adopted by the following vote:

AYES:NOES:

ABSTAIN:

ABSENT:

I do hereby further certify that an agenda of said meeting was posted at least 72 hours before said meeting at 168 West Alisal Street, Salinas, California, a location freely accessible to members of the public, and a brief description of said resolution appeared on said agenda.

I do hereby further certify that I have carefully compared the foregoing copy with the original minutes of said meeting on file and of record in my office; that said copy is a full, true and correct copy of the original resolution adopted at said meeting and entered in said minutes; and that said resolution has not been amended, modified, rescinded or revoked in any manner since the date of its adoption, and the same is now in full force and effect.

Dated: _____, 2016

Gail T. Borkowski, Clerk of the Board of Supervisors, County of Monterey, State of California

By _____
Deputy

[SEAL]