



City of Sonora

"Queen of the Southern Mines"

94 North Washington Street
Sonora, California 95370


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MEMORANDUM

DATE: January 22, 2019

TO: Honorable Mayor, City Council members

FROM: Timothy A. Miller, City Administrator 

SUBJECT: Tuolumne County Economic Development Authority (TCEDA)
Joint Powers Agreement

RECOMMENDATION

Approve the First Amendment to the TCEDA Joint Powers Agreement and authorize the Mayor to sign.

DISCUSSION

The City had requested to reduce the Joint Powers Agreement withdrawal notice period to 90 days. On December 18, 2018 the County Board approved to reduce the notice period from 180 days to 120 days. The City Council agreed to the 120-day notice at a Special Meeting on December 20, 2018.

Attached is the First Amendment to the TCEDA Joint Powers Agreement. The amendment has been reviewed and approved by both the County Counsel's office and the City Attorney's office. The Board of Supervisors approved the amendment at their January 15, 2019 meeting.

**FIRST AMENDMENT TO THE
AMENDED JOINT POWERS AGREEMENT OF
TUOLUMNE COUNTY ECONOMIC DEVELOPMENT AUTHORITY**

This First Amendment ("Amendment #1") is entered into this _____ day of _____, 2019, by and between the County of Tuolumne ("County") and the City of Sonora ("City").

RECITALS

WHEREAS, on November 15, 2011, the County and the City entered into an Amended Joint Powers Agreement of Tuolumne County Economic Development Authority ("Agreement") to continue to provide economic development services to the City and County via the Tuolumne County Economic Development Authority ("TCEDA"); and

WHEREAS, on December 3, 2018, the City adopted a Resolution seeking a modification to the Notice of Unilateral Withdrawal ("Notice") requirement as set forth in Section 8.02(A) of the Agreement from 180 days to 90 days; and

WHEREAS, on December 18, 2018, the County determined it would agree to a modification in Section 8.02(A) of the Agreement reducing the Notice from 180 days to 120 days; and

WHEREAS, on December 20, 2018, the City agreed to the County's proposed change to the Notice requirement; and

WHEREAS, both Parties agree to a one-time modification of Section 8.02(A) of the Agreement that Notice will be reduced from 180 days to 120 days with a deadline of March 1, 2019; and

NOW THEREFORE, THE COUNTY AND THE CITY AGREE as follows:

AGREEMENT

1. This Amendment #1 shall be effective as of December 20, 2018.
2. Section 8.02(A) is amended to allow either party to provide Notice of its intent to withdraw from the TCEDA at least 120 days in advance of the start of the 2019-2020 fiscal year with a deadline of March 1, 2019.
3. Both Parties agree the terms of this Amendment #1 shall be of a limited duration and shall not extend past March 1, 2019, unless otherwise mutually agreed to by the parties in writing, as this amendment is only intended to be a one-time modification to the Agreement.
4. Except as amended herein, all other terms and conditions of the Agreement shall remain in full force and effect.

IN WITNESS WHEREOF, the parties have executed this Amendment #1 as of the date written above.

COUNTY OF TUOLUMNE	CITY
By: Karl Rodefer, Chair Board of Supervisors	By: James M. Garaventa, Mayor
ATTEST:	ATTEST:
By: Alicia Jamar Seal Chief Deputy Clerk of the Board	By: _____ City Clerk Pro Tempore
APPROVED AS TO LEGAL FORM:	APPROVED AS TO LEGAL FORM:
By: Sarah Carrillo, County Counsel	By: Douglas L. White, City Attorney