

RESOLUTION NO. 2021-05

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LOS ALTOS
APPROVING THE FIRST AMENDMENT TO THE NORTH COUNTY
LIBRARY AUTHORITY JOINT POWERS AGREEMENT**

WHEREAS, the city of Los Altos and the Town of Los Altos Hills are both members of the North County Library Authority (NCLA) JPA since 1985; and

WHEREAS, the board of NCLA has determined that an amendment to the JPA is necessary to properly allocate expenses of NCLA; and

WHEREAS, the amendment at Attachment A would allow NCLA to pay directly for consultants and other special services approved by the NCLA Board;

NOW THEREFORE, BE IT RESOLVED, that the City Council of the City of Los Altos hereby approves the First Amendment to the North County Library Authority Joint Powers Agreement at Attachment A and authorizes the Mayor to sign the Amendment.


I HEREBY CERTIFY that the foregoing is a true and correct copy of a Resolution passed and adopted by the City Council of the City of Los Altos at a meeting thereof on the 26th day of January, 2021 by the following vote:

AYES: Council Members Lee Eng, Meadows, Weinberg, Vice Mayor Enander and Mayor Fligor
NOES: None
ABSENT: None
ABSTAIN: None



Neysa Fligor, MAYOR

Attest:


Andrea Chelemengos, MMC, CITY CLERK

**FIRST AMENDMENT TO THE JOINT POWERS AGREEMENT OF
NORTH COUNTY LIBRARY AUTHORITY**

This First Amendment to the Joint Powers Agreement (“First Amendment”) is made and entered into on the 13th day of January, 2020, by and between the City of Los Altos, a municipal corporation and the Town of Los Altos, a municipal corporation, both situated in the County of Santa Clara, State of California (collectively the “Parties”).

RECITALS

WHEREAS, on August 1, 1985, the City of Los Altos and the Town of Los Altos Hills, both located in Santa Clara County, entered into a Joint Powers Agreement (the “JPA”) to form the North County Library Authority (the “Agency”); and

WHEREAS, pursuant to Government Code sections 6500 *et seq.*, the parties to the JPA desire to amend the JPA to provide clarifying language changes with regard to the use of Agency funds.

MUTUAL UNDERSTANDINGS

NOW, THEREFORE, for and in consideration of the mutual covenants and conditions hereinafter stated, the Parties hereto agree as follows:

1. Section 12. “Bonding Persons Having Access to Property” is hereby amended as follows:

“Section 12. Bonding Persons Having Access to Property. Officers or person or persons who have charge of, handle or have access to any money of the Agency, shall be required to file an official bond with the Agency in such amount as may be established by the Commission. Should an existing bond of any said officer or officers or person or persons be extended to cover the obligation provided herein, said bond shall be the official bond of said officers or officer or person or persons required to be posted herein. The premium of any such bond or bonds shall be an appropriate expense of the Agency. Any payment to the treasurer or auditor-controller required in the operation of the Agency shall be an appropriate charge against the Agency.

The Administrative Officer shall have the responsibility of any and all property of Agency and shall indicate approval of all claims and demands for the disbursement of Agency funds prior to submittal of said claims and demands to the Commission for approval.

The City of Los Altos shall provide staff and basic services at no cost to the Agency. All costs and expenses of an outside nature such as auditing, legal, consultants or the like, shall be apportioned equally among the Member Entities.

If Agency Commission chooses by majority vote to hire a consultant or consultants solely for administrative support to serve the Agency, those costs shall be paid for with the Agency's Operating Fund funded from a special tax or any other lawful revenue sources. Neither Member Entity shall be obligated to pay for such support staff out of its General Fund.

Section 5: This amendment is effective July 1, 2019.

Section 6: All other provisions and terms of the JPA are to remain unchanged.

Section 7: Counterparts. This Amendment may be executed in one or more counterparts, each of which will be deemed an original, but all of which together will constitute one and the same instrument. If this Amendment is executed in counterparts, no signatory hereto shall be bound until all the parties named below have duly executed, or caused to be duly executed, a counterpart of this Amendment by an authorized signatory.

IN WITNESS WHEREOF, the Parties hereto have caused this First Amendment to be executed and attested by their officers thereunto duly authorized as of the date first above written.

ATTEST:

City Clerk
City of Los Altos

City of Los Altos

By: Andrea M. Chelemengos
Andrea M. Chelemengos, MMC

By: Neysa Fligor
Neysa Fligor, Mayor

Dated: 2/18/2021

ATTEST:

Town Clerk
Town of Los Altos Hills

Town of Los Altos Hills

By: _____

By: _____
Mayor

Dated: _____

ATTEST:

City Clerk
City of Los Altos

By: _____

Dated: _____

ATTEST:

Town Clerk
Town of Los Altos Hills

By: *Richard Pad*

Dated: February 4, 2020

City of Los Altos

By _____
Mayor

Town of Los Altos Hills

By *[Signature]*
Mayor