ORDINANCE NO. 993

AN ORDINANCE OF THE COUNTY OF SOLANO, CALIFORNIA, APPROVING, AUTHORIZING AND DIRECTING THE EXECUTION OF THE FIRST SUPPLEMENTAL JOINT EXERCISE OF POWERS AGREEMENT WITH THE CITIES OF FAIRFIELD AND SUISUN CITY, AND AUTHORIZING THE GOVERNING BOARD OF THE SOLANO COUNTY LIBRARY AUTHORITY TO EXERCISE THE POWER SET FORTH IN SAID AGREEMENT TO ISSUE REFUNDING BONDS IN THE MAXIMUM PRINCIPAL AMOUNT OF $2,225,000.

WHEREAS, the Board of Supervisors (the "Board") of the County of Solano (the "County") has previously approved and executed a Joint Exercise of Powers Agreement (the "Agreement") with the Cities of Fairfield ("Fairfield") and Suisun City ("Suisun"), dated as of March 1, 1975, creating the Solano County Library Authority (the "Authority") and the Authority has previously authorized and issued revenue bonds (the "Revenue Bonds") pursuant thereto in the principal amount of $2,000,000; and

WHEREAS, the Agreement does not expressly provide for the issuance of bonds for the purpose of refunding outstanding indebtedness incurred by reason of the issuance of the Revenue Bonds; and

WHEREAS, the County, Fairfield and Suisun propose to amend the Agreement so as to provide for such issuance of refunding bonds; and

WHEREAS, the Board has found and determined, and hereby finds and determines, that it is in the best interests of the County to so amend the Agreement and provide for the issuance of refunding bonds pursuant thereto;
NOW, THEREFORE, THE BOARD OF SUPERVISORS OF THE
COUNTY OF SOLANO DOES ORDAIN AS FOLLOWS:

Section 1. The First Supplemental Joint Exercise of
Powers Agreement (the "First Supplemental Agreement") between
the County, Fairfield and Suisun, dated as of August 1, 1977,
is hereby approved, and the Chairman of the Board of Supervisors
is hereby authorized and directed to execute said Agreement on
behalf of the County, and the County Clerk is hereby authorized
to attest thereto and to affix the official seal of the County
thereto.

Section 2. The Project funded by the Revenue Bonds
and the bonds to be issued by the Authority to refund the
Revenue Bonds is generally described as follows:

A two-story library building containing approximately
40,000 square feet of interior floor space, including off-street
automobile parking facilities necessary therefor, lighting,
drainage, water and sewer facilities, landscaping and planting
and other site improvements (all as shown in the plans and
specifications), to be used as headquarters for the Solano
County Library System and as the County Free Library Zone 1
Library.

Section 3. Pursuant to the First Supplemental Agreement,
the Authority is empowered to issue bonds, in such principal
amounts authorized by the County and Fairfield and Suisun and
in accordance with Article 10 of Chapter 3 of Division 2 of
Title 5 of the Government Code of the State of California, to
provide for the refunding of outstanding indebtedness incurred
by reason of the issuance of the Revenue Bonds. The Board of
Supervisors hereby authorizes the Authority to issue such re-
funding bonds in the maximum principal amount of $2,225,000.
Section 4. The anticipated sources of revenue to redeem the bonds authorized by this ordinance consist of rental payments to be made by the County to the Authority in amounts sufficient to pay each year's debt service on such bonds as it becomes due.

Section 5. This ordinance shall not take effect until sixty days after its final passage. This ordinance is subject to the provisions for referendum applicable to the County as prescribed by Section 3751.7 of the Elections Code of the State of California.

This Ordinance shall be published once before the expiration of FIFTEEN (15) DAYS after its final passage in the Vallejo Times Herald, a newspaper of general circulation, printed and published in the County of Solano, State of California, and shall be in full force and effect SIXTY (60) DAYS after its passage.

ATTEST:

Neil Crawford, County Clerk
and ex officio Clerk of the
Board of Supervisors,

[Signature]
Deputy Clerk

I, NEIL CRAWFORD, County Clerk and ex officio Clerk of the Board of Supervisors of the County of Solano, State of California, do hereby certify that the above and foregoing Ordinance was introduced at a regular meeting thereof held on the 16th day of August, 1977.

On the motion of Supervisor Brann and the second of Supervisor Asera, this Ordinance was adopted at a regular meeting of said Board on the 23rd day of August, 1977, by the following vote:

AYES: SUPERVISORS: AGERA, BRANN, SCOFIELD AND

CHAIRMAN HANNIGAN

NOES: SUPERVISORS: NONE

ABSENT: SUPERVISORS: BRAZELTON
WITNESS my hand and the Seal of said Board this 23rd day of August, 1977.

NEIL CRAWFORD, County Clerk

By

Deputy Clerk
FIRST SUPPLEMENTAL JOINT EXERCISE
OF POWERS AGREEMENT

This Agreement, dated for convenience as of August 1, 1977, by and between the COUNTY OF SOLANO (the "County"), a county of the State of California, and the CITY OF FAIRFIELD ("Fairfield") and the CITY OF SUISUN CITY ("Suisun"), each a general law city and municipal corporation duly organized and existing under the Constitution and laws of the State of California.

WITNESSETH:

WHEREAS, the County and Fairfield and Suisun have previously approved and executed a Joint Exercise of Powers Agreement (the "Agreement"), dated as of March 1, 1975, and have previously authorized and issued revenue bonds pursuant thereto in the principal amount of $2,000,000; and

WHEREAS, the Agreement does not expressly provide for the issuance of bonds for the purpose of refunding outstanding indebtedness incurred by reason of the issuance of such revenue bonds; and

WHEREAS, the County and Fairfield and Suisun wish to amend the Agreement to provide for such issuance of refunding bonds;

NOW, THEREFORE, the County and Fairfield and Suisun for and in consideration of the mutual promises and agreements herein contained, do agree that Section 13 of the Joint Exercise of Powers Agreement by and between the County and Fairfield and Suisun, dated as of March 1, 1975, is hereby amended to read as follows:
"SECTION 13. Revenue And Refunding Bonds

The Authority shall have power to issue the revenue bonds, in accordance with Article 2 of the Law and subject to the provisions of Section 6547 of the Law, for the purpose of exercising its powers and raising funds necessary to carry out its obligations under this Agreement. The County and Fairfield and Suisun shall cause the Authority to exercise such power to issue revenue bonds forthwith upon receipt by the Authority of an acceptable bid for construction of the Project; provided, however, that the County and Fairfield and Suisun shall cause the Authority to exercise such power to issue revenue bonds only in the principal amount that, together with the contributions provided for in paragraph E-1 of Section 12 of this Agreement, will be required for construction of the Project and for payment of all other sums provided by this Agreement to be paid by the Authority and payment of all costs and fees incidental to the issuance of the revenue bonds. The Authority shall have power to issue bonds, in such principal amounts authorized by the County and Fairfield and Suisun and in accordance with Article 10 of Chapter 3 of Division 2 of Title 5 of the Government Code of the State of California, to provide for the refunding of any outstanding indebtedness incurred by reason of any issuance of bonds pursuant to this Section."

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed and attested by their proper officers thereunto duly authorized, and their official seals to be hereto affixed, as of the day and year first above written.

[SEAL] COUNTY OF SOLANO

Attest: ________________________ By ________________________
County Clerk Chairman of the Board of Supervisors

[SEAL] CITY OF FAIRFIELD

Attest: ________________________ By ________________________
City Clerk Mayor

[SEAL] CITY OF SUISUN CITY

Attest: ________________________ By ________________________
City Clerk Mayor