

RESOLUTION NO. 90-35

**AMENDMENT TO JOINT POWERS AGREEMENT  
FOR REGIONAL C.L.E.T.S. / M.S.S.  
SYSTEM REPLACEMENT**

This amendment is made by and among the undersigned public entities (hereinafter referred to as the "Member Agencies"), all of which are public entities organized and operating under the laws of the State of California and certain federal agencies (hereinafter referred to as "Participating Agencies") organized under the authority of the United States Government.

1. This amendment to the March 24 1987 Regional CLETS/MSS Joint Powers Agreement (hereinafter the "JPA") is made pursuant to Article XX of the JPA.

2. This amendment is necessary to clarify the definition of "operating costs" for the purposes of determining pro-rata shares of operating cost of the system to be paid by the Member Agencies and the Participating Agencies.

NOW, THEREFORE, The undersigned Member Agencies and Participating Agencies agree to amend the JPA as follows:

I. ARTICLE XIII(D), "OPERATING COSTS", is hereby amended to read as follows:

"D. OPERATING COSTS

Operating costs will be billed to the member agency on a pro-rata basis. The amount due will be determined by the actual number of messages sent and received by each agency proportionate to the total system message count for the billing period.

Agencies will be billed on a regular basis, and remittances shall be due and payable within thirty (30) days of the date of billing."

II. Those provision of the JPA not inconsistent with the above amendment shall remain in full force and effect.

III. The foregoing amendment together with the JPA constitutes the full and complete understanding of the Member Agencies and Participating Agencies. There are no other amendments or changes (either orally or in writing) to the JPA other than the amendment set forth herein.

IV. This amendment may be executed in several counterparts, each of which shall be deemed an original, and all such counterparts shall constitute one and the same instrument. Counterpart original signature pages shall

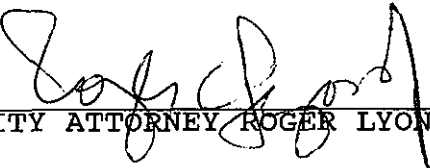
be forwarded to the City Clerk of the City of Santa Barbara by each of the Member Agencies and Participating Agencies approving this amendment.

IN WITNESS WHEREOF, the parties hereto have executed this amendment to the JPA in counterparts as of the 6th day of March, 1990.

ATTEST

  
MAYOR STEVE MARTIN

  
CITY CLERK JERRY BANKSTON


  
CITY ATTORNEY ROGER LYON

STATE OF CALIFORNIA )  
COUNTY OF SAN LUIS OBISPO ) ss.  
CITY OF EL PASO DE ROBLES )

I,.....Jerry Bankston....., City Clerk/Deputy-City-Clerk of the City of El Paso de Robles, California, do hereby certify that the foregoing .....Resolution No. 90-35..... was duly and regularly adopted, passed and approved by the City Council of the City of El Paso de Robles, California, at a...regular..... meeting of said City Council held at the regular meeting place thereof, on the .....6th..... day of .....March....., 1990..., by the following vote:

AYES:.....Russell, Conway, Cousins and Martin.....  
NOES:.....None.....  
ABSENT:.....Reneau.....  
ABSTAINED: None.....

Dated this.....6th.....day of...March...., 1990.

  
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City Clerk and Ex-Officio Clerk of the  
City Council, City of El Paso de Robles,  
State of California