

RESOLUTION NO. 2002-107

**A RESOLUTION OF THE CITY COUNCIL, OF THE CITY OF ELK GROVE RELATING
TO THIRD INTERIM AGREEMENT FOR SERVICES BETWEEN THE
COUNTY OF SACRAMENTO AND THE CITY OF ELK GROVE**

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Elk Grove as follows:

Section 1. The mayor is hereby authorized and directed to execute the Third Amended Interim Agreement for Services Between the County of Sacramento and the City of Elk Grove on behalf of the City of Elk Grove in the form hereto attached, and for all matter incidental thereto, and to do and perform everything necessary to carry out the purpose of this resolution.

Section 2. The City Clerk shall certify to the adoption of this resolution and shall cause a certified resolution to be filed in the Office of the City Clerk.

PASSED AND ADOPTED by the City Council of the City of Elk Grove on this 9th day of January 2002.



MICHAEL P. LEARY, MAYOR of the
CITY OF ELK GROVE

ATTEST:



PEGGY B. JACKSON, CITY CLERK

APPROVED AS TO FORM:



ANTHONY B. MANZANETTI,
CITY ATTORNEY

AYES: Leary, Cooper, Briggs,
Scherman, Soares
NOES: None
ABSTAIN: None
ABSENT: None

**THIRD AMENDED INTERIM AGREEMENT FOR SERVICES BETWEEN
THE COUNTY OF SACRAMENTO AND THE CITY OF ELK GROVE**

This Third Amended Agreement is made and entered into this 18th day of June, 2002, by and between the County of Sacramento, a political subdivision of the State of California ("County"), and the City of Elk Grove, a municipal corporation organized and existing under the laws of the State of California ("City").

RECITALS:

WHEREAS, the incorporation of the City became effective July 1, 2000; and

WHEREAS, pursuant to Government Code Section 57384, the County continued to provide services to the City for the remainder of the fiscal year during which the City's incorporation became effective; and

WHEREAS, the City is in the process of negotiating long-term municipal service agreements with the County and other service providers; and

WHEREAS, the City and the County entered into an Interim Agreement for Services ("Agreement") that was effective for the period July 1, 2001, through September 30, 2001, extended by a first amendment to January 6, 2002, and further extended by a second amendment to June 30, 2002, because of the need for additional time to finalize the City's efforts to secure such long-term municipal service agreements; and

WHEREAS, the City requires further time to complete this process; and

WHEREAS, the City desires to have the County continue to provide those services which are the subject of ongoing negotiations with the County or other service providers on an interim basis pending approval of long-term agreements for such services; and

WHEREAS, the County is willing to continue to provide such interim services subject to the terms and conditions hereinafter set forth.

NOW, THEREFORE, in consideration of the mutual promises, conditions, and covenants hereinafter set forth, the City and the County hereby agree as follows:

1. Section 7 of the Agreement is hereby amended to read as follows:

"This Agreement shall be effective July 1, 2001, and shall expire on September 30, 2002. The City's obligation to compensate the County for services rendered under this Agreement as set forth in Sections 4 and 5 hereof, together with the parties indemnification obligations set forth in Section 10 hereof, shall survive the expiration of this Agreement. If the City and the County enter into any long-term contracts for any of the services described in Section 1 hereof, such long-term contracts shall supercede this Agreement with respect to the services provided for in such long-term contracts. Either party may terminate some or all of the services being provided under this Agreement upon thirty (30) days prior written notice to the other party."

2. The Agreement, as amended, shall in all other respects remain in full force and effect.

IN WITNESS WHEREOF, the parties hereto have executed this Third Amended Agreement the day of the year first written above.

CITY OF ELK GROVE, a municipal

**Third Amended Interim Agreement For Services
Between the County of Sacramento and the
City of Elk Grove**

corporation

Dated: June __, 2002

By _____
Mayor, City of Elk Grove

(SEAL)

Attest: _____
City Clerk

APPROVED AS TO FORM:

City Attorney

COUNTY OF SACRAMENTO, a political
subdivision of the State of California

Dated: June __, 2002

By _____
Chairperson, Board of Supervisors

(SEAL)

Attest: _____
Clerk of the
Board of Supervisors

APPROVED AS TO FORM:

Assistant County Counsel