

## **AMENDMENT TO JOINT EXERCISE OF POWERS AGREEMENT**

### **IMPERIAL PUBLIC FINANCING AUTHORITY**

This AMENDMENT TO JOINT EXERCISE OF POWERS AGREEMENT, dated as of February 6, 2019 (this “Amendment”), is made by and among the City of Imperial, California (the “City”), the City as the Successor Agency to the Imperial Community Redevelopment Agency (the “Successor Agency”) and the Parking Authority of the City (the “Parking Authority”), each duly organized and existing under the laws of the State of California.

#### **RECITALS:**

WHEREAS, the City and the Imperial Community Redevelopment Agency entered into that certain Joint Exercise of Powers Agreement, dated November 20, 2002 (the “Agreement”), for the purpose, among other things, of financing public capital improvements; and

WHEREAS, the City and the Successor Agency desire to amend the Agreement pursuant to Section 4.06 thereof to add the Parking Authority as a Member under the Agreement; and

WHEREAS, adding the Parking Authority as a Member will facilitate the issuance of revenue bonds by the Imperial Public Financing Authority (the “Authority”) to assist the City refinance certain of its outstanding debt obligations and finance capital improvements; and

WHEREAS, after the Parking Authority is added as a Member of the Authority hereby, the Members desire to remove the Successor Agency as a Member;

NOW, THEREFORE, in consideration of the above premises and of the mutual covenants hereinafter contained the parties hereto agree as follows:

#### **ARTICLE I**

##### **AMENDMENTS**

Section 1.01. Amendment to Definitions. Section 1.01 of the Agreement is hereby amended and restated with respect to the following definitions:

“Members” means the City, the Parking Authority and any other Member under the Agreement.

## **ARTICLE II**

### **ADDITION OF PARKING AUTHORITY OF THE CITY OF IMPERIAL AS A MEMBER**

Section 2.01. Addition of Member. The Parking Authority of the City is hereby made a Member under the Agreement for all purposes thereof.

## **ARTICLE III**

### **REMOVAL OF SUCCESSOR AGENCY AS A MEMBER**

Section 3.01. Removal of Member. Upon execution by the Parking Authority of this Amendment, the Successor Agency shall be and is hereby removed as a Member of the Agreement for all purposes thereof. All references to "Agency" in the Agreement are hereby removed and replaced with "Parking Authority."

## **ARTICLE IV**

### **MISCELLANEOUS**

Section 4.01. Counterparts. This Amendment may be simultaneously executed in several counterparts, each of which shall be deemed an original and all of which shall constitute but one and the same instrument.

IN WITNESS WHEREOF, the parties hereto, by their officers thereunto duly authorized, have executed and delivered this Amendment, effective as of the day and year first above written.

CITY OF IMPERIAL, CALIFORNIA

By:   
Name: Stefan T. Chatwin  
Title: City Manager

ATTEST:

  
Debra Jackson, City Clerk

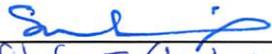
PARKING AUTHORITY OF THE  
CITY OF IMPERIAL, CALIFORNIA

By:   
Name: Stefan T. Chatwin  
Title: Executive Director

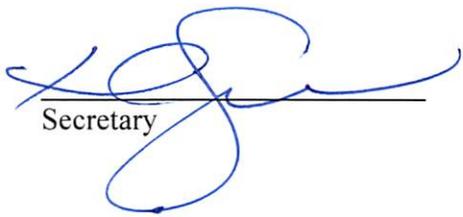
ATTEST:

  
Debra Jackson, City Clerk

CITY OF IMPERIAL, CALIFORNIA, as Successor  
Agency to the Imperial Community Redevelopment  
Agency

By:   
Name: Stefan T. Chatwin  
Title: Executive Director

ATTEST:

  
Secretary