



RESOLUTION No. _____

OF THE BOARD OF SUPERVISORS OF THE COUNTY OF NEVADA

RESOLUTION APPROVING THE AMENDED AND RESTATED JOINT EXERCISE OF POWERS AGREEMENT BETWEEN SUTTER, NEVADA, AND YUBA COUNTIES FOR THE PURPOSE OF PURCHASING AND MAINTAINING A WEIGHT TRUCK

WHEREAS, in accordance with Section 12210 of the California Business and Professions Code each County Sealer of Weights and Measures shall, within his or her county inspect, try and test all weighing and measuring devices used for commercial purposes; and

WHEREAS, in order for the County Sealer to meet mandated responsibilities it is necessary for the Sealer of Weights and Measures to have the use of a heavy capacity commercial weights and measures vehicle, otherwise known as a Weight Truck; and

WHEREAS, pursuant to the provisions of Article 1, Chapter 5, Division 7, Title 1 of the California Government Code 9 (Section 6500 et seq.), two or more public agencies may, by agreement, form a Joint Powers Agency to exercise those powers and functions that are common to the contracting parties; and

WHEREAS, on March 7, 1989, per Resolution 89-95, the Board of Supervisors approved the Joint Powers Agreement between Sutter County, Nevada County and Yuba County (Member Agencies) for the purchase, use and maintenance of a Weight Truck, and on July 19, 2005, the Board approved Resolution 05-343 amending the Agreement for the purchase of a replacement crane; and

WHEREAS, the existing Weight Truck is worn and needs to be replaced; and

WHEREAS, there is an economic advantage to the Member Agencies to continue a Joint Exercise of Powers Agreement to jointly purchase and share use of a Weight Truck; and

WHEREAS, the Member Agencies have been working cooperatively under the existing Joint Powers Agreement originally established in 1989 to jointly purchase and use a Weight Truck and desire to amend and restate the provisions of the existing "Heavy Truck Joint Powers Agreement"; and

WHEREAS, funds have been budgeted within the Agricultural Commissioner, Weights and Measures Budget 0101-20601-301-1000 to cover any costs associated with this agreement.

WHEREAS, this amended and restated JPA shall be effective upon adoption by the Board of Supervisors of each of the three counties (Sutter, Yuba and Nevada Counties).

NOW, THEREFORE, BE IT HEREBY RESOLVED by the Board of Supervisors of the County of Nevada, State of California, that the amended and restated Joint Exercise of Powers Agreement (JPA) with Sutter County and Yuba County, be and hereby is approved in the form attached hereto, and that the Chair of the Board of Supervisors be and is hereby authorized to execute the Joint Exercise of Powers Agreement.