

FIFTH AMENDMENT TO THE JOINT EXERCISE OF POWERS AGREEMENT ESTABLISHING THE SANTA CRUZ COUNTY LIBRARY FINANCING AUTHORITY

WHEREAS, the Santa Cruz County Library Financing Authority (“the Financing Authority”) was created in 1996 for the purpose of financing library services and facilities; and

WHEREAS, the Financing Authority was established pursuant to the Joint Exercise of Powers Law of the State of California, constituting Chapter 5 of Division 7 of Title 1 of the Government Code of the State of California (“the Act”); and

WHEREAS, an original agreement entitled the “Joint Exercise of Powers Agreement Santa Cruz County Library Financing Authority” (“the Agreement”) was entered into by each of the parties in May 1996; and

WHEREAS, an agreement amending the original Agreement was entered into by each of the parties in November 2013; and

WHEREAS, a Second Amendment to the Agreement was entered into by each of the parties in December 2015; and

WHEREAS, a Third Amendment to the Agreement was entered into by each of the parties in June 2021; and

WHEREAS, a Fourth Amendment to the Agreement was entered into by each of the parties in July 2022; and

WHEREAS, a Fifth Amendment to the Agreement is necessary to increase the Maintenance of Effort contributions and extend the term seven years; and

WHEREAS, said Section 9.5 of said Second Amendment authorizes amendments at any time, or from time to time, only by the unanimous consent of the parties.

NOW THEREFORE, the Board of Supervisors of the County of Santa Cruz, and the City Councils for the Cities of Santa Cruz, Watsonville, Scotts Valley and Capitola agree to further amend the Fourth Amendment as follows:

1. **Article III – Contributions** is hereby amended as follows:

Section 3.1 – Maintenance of Effort Contributions of the Cities. Commencing with the 2025-26 fiscal year, the City of Santa Cruz and the City of Watsonville shall contribute a Maintenance of Effort (“MOE”) amount each year in the amounts shown below:

City of Santa Cruz Maintenance of Effort

Fiscal Year	Amount
2025-26	\$2,815,836
2026-27	\$3,303,600
2027-28	\$3,795,704
2028-29	\$3,928,553
2029-30	\$4,066,053
2030-31	\$4,208,365
2031-32	\$4,355,657

City of Watsonville Maintenance of Effort

Fiscal Year	Amount
2025-26	\$541,684
2026-27	\$541,684
2027-28	\$541,684
2028-29	\$541,684
2029-30	\$541,684
2030-31	\$541,684
2031-32	\$541,684

Section 3.2 – Maintenance of Effort Contributions of the County. Commencing with the 2025-26 fiscal year, and subject to the terms below, the County of Santa Cruz, on behalf of the Unincorporated Area and the cities of Capitola and Scotts Valley, shall contribute a MOE amount from the County Library Fund each year in the amounts shown below:

County Library Fund Maintenance of Effort

Fiscal Year	Amount
2025-26	\$7,779,536
2026-27	\$8,413,107
2027-28	\$9,057,050
2028-29	\$9,374,298
2029-30	\$9,702,657
2030-31	\$10,042,516
2031-32	\$10,394,279

If the Annual Net Amount of Allocated Taxes received by the County Library Fund is less than the annual MOE amount shown above, the County shall contribute the lesser amount as its annual MOE contribution. In no instance shall the County's annual MOE contribution exceed the Annual Net Amount of Allocated Taxes received by the County Library Fund.

If the Annual Net Amount of Allocated Taxes received by the County Library Fund exceeds the annual MOE amount shown above, the County shall allocate any excess funds in the

County Library Fund for exclusive use on library improvements, major maintenance, or services at County Library Fund branches (including Capitola and Scotts Valley branches) with input by library staff and the cities of Capitola and Scotts Valley.

2. **Article IV – Annual Budget/Disbursement of Funds** is hereby amended as follows:

Section 4.3 – Disbursement of Funds. Commencing with the 2025-26 fiscal year, the amounts available from MOE contributions, taxes or fees, and carryover balances or surplus funds shall be disbursed as follows:

(A) The estimated amount available from MOE contributions shall be distributed to the Santa Cruz City/County Library System and the Watsonville Library each year in the amounts shown below:

Santa Cruz City/County Library System

Fiscal Year	Amount
2025-26	\$9,653,267
2026-27	\$10,741,392
2027-28	\$11,843,059
2028-29	\$12,257,565
2029-30	\$12,686,581
2030-31	\$13,130,611
2031-32	\$13,590,182

Watsonville Library

Fiscal Year	Amount
2025-26	\$1,483,789
2026-27	\$1,516,999
2027-28	\$1,551,379
2028-29	\$1,586,970
2029-30	\$1,623,813
2030-31	\$1,661,954
2031-32	\$1,701,438

These distribution amounts shall be adjusted proportionally should the County’s annual MOE contribution be reduced pursuant to Section 3.2.

3. **Article VI – Term and Withdrawal** is hereby amended as follows:

Section 6.1 – Term. The changes outlined in this Fifth Amendment shall commence on July 1, 2025 and will continue to remain in effect through June 30, 2032.

All other provisions of said Agreement shall remain the same.

IN WITNESS WHEREOF, the parties hereto have caused this Fifth Amendment to be executed and attested by their proper officers thereunto duly authorized on the day and year stated below the name of each of the parties. This Fifth Amendment may be signed in counterparts, each of which shall be deemed an original, and all of which shall constitute one and the same agreement.

COUNTY OF SANTA CRUZ

Approved as to form:

DocuSigned by:
By: Carlos Palacios
EC248CAEF1144EE...
Dated: 8/29/2025

Signed by:
Jason M. Heath
2336E053FF38435...
7/29/2025

CITY OF SANTA CRUZ

Approved as to form:

DocuSigned by:
By: Matt Huffaker
9617895033BE48C...
Dated: 8/30/2025

DocuSigned by:
Anthony Condotti
0454C2D2392940C...
8/29/2025

CITY OF WATSONVILLE

Approved as to form:

Signed by:
By: Tamara Vides
15AD0F1B9105482...
Dated: 9/9/2025

Signed by:
Samantha Butler
C0E26B96468341A...
8/28/2025

CITY OF CAPITOLA

Approved as to form:

Signed by:
By: Jamie Goldstein
08F95DF2E8BA4AC...
Dated: 8/29/2025

Signed by:
Samantha Butler
C0E26B96468341A...
8/28/2025

CITY OF SCOTTS VALLEY

Approved as to form:

Signed by:
By: Mali LaGoe
2B09397A0219400...
Dated: 9/8/2025

Signed by:
Kirsten Powell
55EA31743C8D45B...
9/3/2025



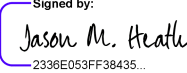
Certificate Of Completion

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Source Envelope:	
Document Pages: 4	Signatures: 1
Certificate Pages: 5	Initials: 0
AutoNav: Enabled	Envelope Originator:
Envelopeld Stamping: Enabled	Nicole Coburn
Time Zone: (UTC-08:00) Pacific Time (US & Canada)	701 Ocean Street
	Santa Cruz, CA 95060
	Nicole.Coburn@santacruzcountyca.gov
	IP Address: 24.176.247.190

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Status: Original	Holder: Nicole Coburn	Location: DocuSign
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Storage Appliance Status: Connected	Pool: County of Santa Cruz	Location: Docusign

Signer Events

Signer Events	Signature	Timestamp
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County Counsel		Signed: 7/29/2025 9:07:41 AM
County of Santa Cruz		
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Juliette.Rezzato@santacruzcountyca.gov		
Chief Deputy Clerk of the Board of Supervisors		
County of Santa Cruz		
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Ruby Marquez	<div>COPIED</div>	Sent: 7/29/2025 9:07:42 AM
Ruby.Marquez@santacruzcountyca.gov		
Santa Cruz County Counsel's Office		
Security Level: Email, Account Authentication (None)		
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Notary Events	Signature	Timestamp
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Signing Complete	Security Checked	7/29/2025 9:07:41 AM
Completed	Security Checked	7/29/2025 9:07:42 AM
Payment Events	Status	Timestamps
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At any time, you may request from us a paper copy of any record provided or made available electronically to you by us. You will have the ability to download and print documents we send to you through the DocuSign system during and immediately after the signing session and, if you elect to create a DocuSign account, you may access the documents for a limited period of time (usually 30 days) after such documents are first sent to you. After such time, if you wish for us to send you paper copies of any such documents from our office to you, you will be charged a \$0.00 per-page fee. You may request delivery of such paper copies from us by following the procedure described below.

Withdrawing your consent

If you decide to receive notices and disclosures from us electronically, you may at any time change your mind and tell us that thereafter you want to receive required notices and disclosures only in paper format. How you must inform us of your decision to receive future notices and disclosure in paper format and withdraw your consent to receive notices and disclosures electronically is described below.

Consequences of changing your mind

If you elect to receive required notices and disclosures only in paper format, it will slow the speed at which we can complete certain steps in transactions with you and delivering services to you because we will need first to send the required notices or disclosures to you in paper format, and then wait until we receive back from you your acknowledgment of your receipt of such paper notices or disclosures. Further, you will no longer be able to use the DocuSign system to receive required notices and consents electronically from us or to sign electronically documents from us.

All notices and disclosures will be sent to you electronically

Unless you tell us otherwise in accordance with the procedures described herein, we will provide electronically to you through the DocuSign system all required notices, disclosures, authorizations, acknowledgements, and other documents that are required to be provided or made available to you during the course of our relationship with you. To reduce the chance of you inadvertently not receiving any notice or disclosure, we prefer to provide all of the required notices and disclosures to you by the same method and to the same address that you have given us. Thus, you can receive all the disclosures and notices electronically or in paper format through the paper mail delivery system. If you do not agree with this process, please let us know as described below. Please also see the paragraph immediately above that describes the consequences of your electing not to receive delivery of the notices and disclosures electronically from us.

How to contact County of Santa Cruz:

You may contact us to let us know of your changes as to how we may contact you electronically, to request paper copies of certain information from us, and to withdraw your prior consent to receive notices and disclosures electronically as follows:

To contact us by email send messages to: nada.algharib@santacruzcounty.us

To advise County of Santa Cruz of your new email address

To let us know of a change in your email address where we should send notices and disclosures electronically to you, you must send an email message to us at nada.algharib@santacruzcounty.us and in the body of such request you must state: your previous email address, your new email address. We do not require any other information from you to change your email address.

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To request paper copies from County of Santa Cruz

To request delivery from us of paper copies of the notices and disclosures previously provided by us to you electronically, you must send us an email to nada.algharib@santacruzcounty.us and in the body of such request you must state your email address, full name, mailing address, and telephone number. We will bill you for any fees at that time, if any.

To withdraw your consent with County of Santa Cruz

To inform us that you no longer wish to receive future notices and disclosures in electronic format you may:

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- ii. send us an email to nada.algharib@santacruzcounty.us and in the body of such request you must state your email, full name, mailing address, and telephone number. We do not need any other information from you to withdraw consent.. The consequences of your withdrawing consent for online documents will be that transactions may take a longer time to process..

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- Until or unless you notify County of Santa Cruz as described above, you consent to receive exclusively through electronic means all notices, disclosures, authorizations, acknowledgements, and other documents that are required to be provided or made available to you by County of Santa Cruz during the course of your relationship with County of Santa Cruz.

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Nicole Coburn

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Nicole.Coburn@santacruzcountyca.gov

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Anthony Condotti

tcondotti@abc-law.com

Security Level: Email, Account Authentication
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Signature

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Anthony Condotti
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Carlos Palacios

Carlos.Palacios@santacruzcountyca.gov

County Executive Officer

Security Level: Email, Account Authentication
(None)

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Carlos Palacios
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Jamie Goldstein

jgoldstein@ci.capitola.ca.us

City Manager

Security Level: Email, Account Authentication
(None)

Signed by:

Jamie Goldstein
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Signature Adoption: Pre-selected Style

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Kirsten Powell

kpowell@scottsville.gov

Security Level: Email, Account Authentication
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Signed by:

Kirsten Powell
55EA31743C8D45B...

Signature Adoption: Pre-selected Style

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<p>Samantha Zutler szutler@bwslaw.com City Attorney Security Level: Email, Account Authentication (None)</p>	<p>Signed by: <i>Samantha Zutler</i> C0E26B96468341A...</p> <p>Signature Adoption: Pre-selected Style Using IP Address: 68.113.52.114</p>	<p>Sent: 8/28/2025 5:12:45 PM Viewed: 8/28/2025 5:22:51 PM Signed: 8/28/2025 5:23:17 PM</p>
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<p>Mali LaGoe mlagoe@scottsville.org City Manager Security Level: Email, Account Authentication (None)</p>	<p>Signed by: <i>Mali LaGoe</i> 2B09397A0219400...</p> <p>Signature Adoption: Pre-selected Style Using IP Address: 50.175.157.138</p>	<p>Sent: 9/5/2025 3:58:12 PM Resent: 9/5/2025 3:59:19 PM Resent: 9/7/2025 11:13:37 PM Viewed: 9/8/2025 8:27:55 AM Signed: 9/8/2025 8:28:13 AM</p>
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Devin Schwarz schwarzd@santacruzpl.org Security Level: Email, Account Authentication (None) Electronic Record and Signature Disclosure: Not Offered via DocuSign	COPIED	Sent: 9/9/2025 2:07:04 PM
Irwin Ortiz irwin.ortiz@cityofwatsonville.org Security Level: Email, Account Authentication (None) Electronic Record and Signature Disclosure: Accepted: 9/11/2023 2:27:17 PM ID: 559f7f1c-bd95-4a90-81f2-2790acc22266	COPIED	Sent: 9/9/2025 2:07:03 PM
Julia Gautho jgautho@ci.capitola.ca.us City Clerk Security Level: Email, Account Authentication (None) Electronic Record and Signature Disclosure: Accepted: 10/7/2024 7:30:19 PM ID: 768b3ed8-6336-46d8-8fd9-70f37266b464	COPIED	Sent: 9/9/2025 2:07:03 PM
Juliette Rezzato Juliette.Rezzato@santacruzcountyca.gov Chief Deputy Clerk of the Board of Supervisors County of Santa Cruz Security Level: Email, Account Authentication (None) Electronic Record and Signature Disclosure: Accepted: 5/11/2022 7:47:21 AM ID: 050883f5-a40c-4427-bdbd-fa282a697a25	COPIED	Sent: 9/9/2025 2:07:03 PM
CBD eSignature cbd.esignature@santacruzcountyca.gov County of Santa Cruz Security Level: Email, Account Authentication (None) Electronic Record and Signature Disclosure: Accepted: 6/20/2024 3:08:48 PM ID: 4b7794de-1393-406f-a9a3-56a92d4b90d7	COPIED	Sent: 9/9/2025 2:07:05 PM

Witness Events	Signature	Timestamp
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Envelope Summary Events	Status	Timestamps
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Envelope Updated	Security Checked	8/29/2025 6:59:57 AM
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All notices and disclosures will be sent to you electronically

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