

**AMENDMENT NO. 1  
TO  
DETENTION SERVICES INTERGOVERNMENTAL AGREEMENT NO. 97-02-0015**

This Amendment No. 1 to Detention Services Intergovernmental Agreement No. 97-02-0015 ("Amendment No. 1"), dated as of July 1, 2017, is by and between the United States Marshals Service ("Federal Government") and the County of Fresno ("Local Government") and amends, in part, Detention Services Intergovernmental Agreement No. 97-02-0015, dated as of July 1, 2017 (the "Agreement"), between the parties hereto. Capitalized terms not defined herein shall have the meaning set forth in the Agreement.

1. This Amendment No. 1 is being entered into in order to facilitate the financing of the new facility (referred to herein as the "West Annex") which will be accomplished through the issuance of lease revenue bonds (the "Bonds") by the State Public Works Board of the State of California (the "Board").
2. Prior to the issuance of the Bonds, the Local Government will enter into a ground lease (the "Ground Lease") with the Board of State and Community Corrections of the State of California ("BSCC") leasing to BSCC the land upon which the West Annex will be located. BSCC and the Board will enter into a site lease and a facility lease (the "State Leases") with respect to the Bonds and BSCC will then sublease the West Annex back to the Local Government (together with the Ground Lease and the State Leases, the "Financing Leases").
3. The Federal Government agrees that notwithstanding any provision in the Agreement to the contrary, the Agreement does not confer upon the Federal Government any right, title or interest in the West Annex, but if such right, title or interest may otherwise exist, the Agreement will be subordinate and subject to the terms of the Financing Leases.
4. Notwithstanding any provision in the Agreement to the contrary, the Local Government has the right, without penalty or cause, to terminate the Agreement at any time upon at least thirty (30), but not later than fifty (50), calendar days written notice.
5. The Local Government reasonably expects, at the date hereof, that no more than fifteen (15) beds in the West Annex shall be occupied by federal detainees at any one time pursuant to the terms of the Agreement.
6. Except as stated herein, all provisions of the Agreement remain in full force and effect.

7. This Amendment No. 1 may be executed in one or more counterparts.

UNITED STATES MARSHALS SERVICE

By: [Signature]

Title: Chief D/S

Date: 6/29/17

COUNTY OF FRESNO

By: [Signature]

Title: Chairman, Board of Supervisors

Date: 6-21-17

ATTEST:

BERNICE E. SEIDEL, Clerk  
Board of Supervisors

By: Susan Bishop

Deputy

Amendment No. 1 to New Agreement with United States Marshals Service  
Agreement No 97-02-0015

REVIEWED & RECOMMENDED  
FOR APPROVAL

COUNTY OF FRESNO

JB Captain for

MARGARET MIMS, Sheriff-Coroner

Brian Pacheco

Brian Pacheco, Chairman,  
Board of Supervisors

APPROVED AS TO LEGAL FORM:

Beth Heller  
Chief Deputy for

By Daniel C. Cederborg, County Counsel

ATTEST:

BERNICE E. SEIDEL, Clerk  
Board of Supervisors

By Susan Bishop  
Deputy

APPROVED AS TO ACCOUNTING FORM:

Oscar J. Garcia, CPA  
Auditor-Controller/Treasurer-Tax Collector

By Oscar J Garcia

Fund	0001
Subclass	10000
ORG	31114000
Account	5031