

**FIRST AMENDMENT TO
“FIRST AMENDED AND RESTATED JOINT EXERCISE OF POWERS AGREEMENT
SOUTH BAYSIDE WASTE MANAGEMENT AUTHORITY”**

This First Amendment to the “First Amended and Restated Joint Exercise of Powers Agreement” is entered into this ____ day of _____, 2010, pursuant to the provisions of the Joint Exercise of Powers Act (Title 1, Division 7, Article 1, §6500 *et seq.* of the California Government Code) relating to the joint exercise of powers among the County of San Mateo and those cities, and towns listed in Exhibit A and B, hereafter collectively called "Agencies."

RECITALS

A. WHEREAS the member Agencies of the SOUTH BAYSIDE WASTE MANAGEMENT AUTHORITY (SBWMA) have heretofore entered into a Joint Exercise of Powers Agreement on December 9, 1999 (the JPA Agreement), which was first amended on June 4, 2002 to modify the definition of the Fiscal Year, and was thereafter restated and amended in 2005.

B. WHEREAS the SBWMA member agencies now wish to further amend the First Amended and Restated Joint Exercise of Powers Agreement” to revise the governance structure of SBWMA to include an Elected Officials Oversight Committee.

NOW, THEREFORE BE IT RESOLVED that the Agencies do hereby agree as follows:

1. Section 8.11 is hereby added to ARTICLE 8, “GOVERNANCE”, to read as follows:

8.11 Elected Officials Oversight Committee

(a) The financial and operational policies of SBWMA shall be overseen by the Elected Officials Oversight Committee, which will consist of one elected official of the governing body of each member agency.

(b) The Elected Officials Oversight Committee shall provide guidance and direction on relevant governance and financial policy matters, including but not limited to receiving reports on, and reviewing and commenting on the following:

1. SBWMA’s program and activities;
2. SBWMA’s budget (prior to adoption); and
3. Salary and reimbursement of key SBWMA personnel.

(c) The Elected Officials Oversight Committee shall select annually a Chair and Vice Chair, who shall conduct meetings and set the agenda for said meetings.

2. Section 10.10 is hereby added to Article 10, "MEETINGS", to read as follows:

10.15 Meetings of the Elected Officials Oversight Committee. The Elected Officials Oversight Committee shall meet quarterly, but may meet more frequently as needed.

3. This amendment may be executed in counterparts, each of which shall have the same force and effect as an original, and all of which shall collectively constitute the executed amendment

4. In all other respects, the First Amended and Restated Joint Exercise of Powers Agreement South Bayside Waste Management Authority, shall remain unchanged.

Dated:

Signed: