

**FIRST AMENDMENT TO THE
JOINT EXERCISE OF POWERS AGREEMENT
FOR THE MODOC SISKIYOU
COMMUNITY ACTION AGENCY BOARD**

This First Amendment to the Joint Exercise Of Powers Agreement For The Modoc Siskiyou Community Action Agency Board (hereinafter referred to as "Amendment") is by and between the County of Modoc, a political subdivision of the State of California, and the County of Siskiyou, a political subdivision of the State of California and shall be effective November 16, 2009.

RECITALS

- A. By letter dated November 4, 2008, the Department of Community Services and Development ("CSD") notified the Modoc Siskiyou Community Action Agency ("Agency"), through Michael Noda, its Executive Director, that the Bylaws of the Agency required modification to conform with California Government Code Section 12751 and Section 100605(a)(3) of Title 22 of the California Code of Regulations.
- B. By letter dated January 28, 2009, Michael Noda, on the Agency's behalf, requested that the CSD waive the requirements of California Government Code Section 12751 and Section 100605(a)(3) of Title 22 of the California Code of Regulations due to the "Frontier" designation of the counties signatory to the Joint Exercise Of Powers Agreement For The Modoc Siskiyou Community Action Agency Board ("JPA").
- C. By letter dated February 27, 2009, CSD responded to Mr. Noda's letter of January 28, 2009 indicating that a waiver of California Government Code Section 12751 and Section 100605(a)(3) of Title 22 of the California Code of Regulations was not possible at the time. Further, the CSD requested that the Agency respond by providing a plan describing how the Agency will address this issue.
- D. By letter dated March 19, 2009, Michael Noda, on the Agency's behalf, provided the response requested. In that response, Mr. Noda outlined the Agency's plan to address this issue, which included amending the JPA as provided herein.

NOW, THEREFORE, it is agreed between the parties as follows:

- 1. Recitals. The Recitals set forth above are incorporated in this Amendment as if set forth in full herein.
- 2. Amendment. Section 3 of the JPA shall be deleted in its entirety and the following language shall now control:

"Governing Board": The governing board of the MSCAA shall consist of twelve (12) members as follows:

- (a) Four (4) representatives must be elected public officials, currently holding office, or their representatives; three (3) of whom shall be from Siskiyou County and one (1) of whom shall be from Modoc County;
- (b) Four (4) representatives must be officials or members of business, industry, labor, religious, human services, education, or other major groups and interests in the community, two (2) of whom shall be from Siskiyou County and two (2) of whom shall be from Modoc County; and
- (c) Four (4) representatives must be persons chosen in accordance with democratic selection procedures outlined in regulations promulgated by the Department of Community Services and Development to assure that the members represent the poor and reside in the area served, three (3) of whom shall be from Siskiyou County and one (1) of whom shall be from Modoc County.

Each of the above representatives shall live within the County they represent.

If the number of elected officials reasonably available and willing to serve is less than one-third of the membership of the board, membership on the board of appointive public officials may be counted in meeting this requirement.

No two (2) representatives in category (b) shall represent the same organization or different organizations sharing the same goal."

3. Entire Agreement. All other terms and conditions of the JPA shall remain in full force and effect.

IN WITNESS WHEREOF, the parties hereto have executed this Addendum to Contract for Services the date hereinabove set forth.

COUNTY OF SISKIYOU

By: Michael N. Kobseff
Michael N. Kobseff, Chairman
Board of Supervisors

COUNTY OF MODOC

By: James A. Conner
James A. Conner, Chairman
Board of Supervisors

APPROVED AS TO LEGAL FORM:

Thomas P. Guarino
Thomas P. Guarino, County Counsel

ATTEST:
COLLEEN SETZER
County Clerk & Ex-Officio
Clerk of the Board

By: Deputy
Deputy

APPROVED AS TO LEGAL FORM:

John Kenny
John Kenny, County Counsel