

**FIRST AMENDMENT TO JOINT EXERCISE
OF POWERS AGREEMENT FOR EAST
CONTRA COSTA REGIONAL FEE AND
FINANCING AUTHORITY**

1. EFFECTIVE DATE AND PARTIES

Effective OCTOBER 4, 1999 1999, the CITY OF ANTIOCH, a municipal corporation duly organized and existing under the laws of the State of California ("Antioch"), the CITY OF BRENTWOOD, a municipal corporation duly organized and existing under the laws of the State of California ("Brentwood"), the CITY OF OAKLEY, a municipal corporation duly organized and existing under the laws of the State of California ("Oakley"), the CITY OF PITTSBURG, a municipal corporation duly organized and existing under the laws of the State of California ("Pittsburg"), and the COUNTY OF CONTRA COSTA, a legal subdivision and body corporate and politic of the State of California (the "County"), mutually agree as follows:

2. PURPOSE

Effective August 9, 1994, Antioch, Brentwood, Pittsburg, and the County entered into a written agreement entitled "East Contra Costa Regional Fee and Financing Authority Joint Exercise of Powers Agreement" (referred to as the "Agreement"), which provided for the creation of a separate joint powers agency to assist in the establishment of a uniform regional development fee program and the funding and implementation of road improvement projects in the East County area. The Agreement has not been amended previously. With Oakley's incorporation as a new city effective July 1, 1999, the parties wish to amend the Agreement to add Oakley as an additional member of the Authority, pursuant to Sections 3.C and 16 of the Agreement.

3. AMENDMENTS TO AGREEMENT

- A. In the first paragraph of the Agreement, add the CITY OF OAKLEY, a municipal corporation duly organized and existing under the laws of the State of California, to the parties listed in that paragraph.
- B. In the Agreement, Section 1 DEFINITIONS, change the definition of "City" and "Cities" to read:

"'City' and 'Cities,' individually and collectively respectively, means the City of Antioch, the City of Brentwood, the City of Oakley, and the City of Pittsburg, each an existing municipal corporation under the laws of the State of California."

- C. In Attachment 2, Section A List of Projects, subpart (iii), add the City of Oakley to the Project sponsors for the State Route 4 Bypass.

4. **REMAINING PROVISIONS**

Except for the changes made by this Amendment, all provisions of the Agreement shall remain in full force and effect.

5. **SIGNATURES**

These signatures attest the parties' agreement hereto:

COUNTY OF CONTRA COSTA

By: Board Chair

ATTEST: Phil Batchelor, Clerk of the Board of Supervisors and County Administrator

By: Deputy Clerk

FORM APPROVED:
Victor J. Westman, County Counsel

By: David F. Schmidt, Deputy County Counsel

CITY OF ANTIOCH

By: Mary Helen Rocha
Mayor

ATTEST:

By: Oliver Martin
City Clerk

FORM APPROVED:

By: William R. Galstan
William Galstan, City Attorney

CITY OF BRENTWOOD

By: [Signature]
Mayor

ATTEST:

By: [Signature]
City Clerk

FORM APPROVED:

By: Paul C. [Signature]
City Attorney

CITY OF OAKLEY

By: [Signature]
Mayor

ATTEST:

By: [Signature]
City Clerk

FORM APPROVED:

By: [Signature]
Elizabeth H. Silver City Attorney

CITY OF PITTSBURG

By: [Signature]
Mayor

ATTEST:

By: [Signature]
Deputy City Clerk

FORM APPROVED:

By: [Signature]
Michael Woods, City Attorney