

FOURTH AMENDMENT TO THE  
WEST CONTRA COSTA INTEGRATED WASTE MANAGEMENT AUTHORITY  
JOINT EXERCISE OF POWERS AGREEMENT

**FILE COPY**

This Fourth Amendment to the Joint Exercise of Powers Agreement (Agreement) is entered into effective March 10, 2011 by and among the City of El Cerrito, a municipal corporation, The City of Hercules, a municipal corporation, the City of Pinole, a municipal corporation, the City of Richmond, a municipal corporation and charter city, and the City of San Pablo, a municipal corporation.

The above listed cities entered into an original agreement dated April 2, 1991. Except as amended, all other terms, conditions and provisions of the Agreement remain unchanged.

ACCORDINGLY, THE MEMBERS AGENCIES HEREBY AGREE AS FOLLOWS:

Section 1. Section 7.4 of the Agreement is hereby amended and revised to state as follows:

“7.4 Officers. The Authority shall have seven officers: a Chair, a Vice Chair, a Manager, a General Counsel, a Secretary, a Treasurer and a Controller. The Manager, General Counsel, Secretary, Treasurer and Controller shall not be employees of the Member during the period that he or she serves as an officer of the Authority unless, in the case of the Secretary, Treasurer and Controller, the Board takes specific action to authorize use of a Member’s employee in that capacity. None of the officers (including Chair and Vice Chair) shall be an employee or otherwise be affiliated with the owner of the IRRF (if an IRRF is privately owned in whole or in part) or the operator of the IRRF. The Board shall select a Chair and Vice Chair from among the Directors who shall hold office for a period of one year commencing February 1 of each calendar year. At no time shall the Chair and Vice Chair be representatives of the same Member. No person shall serve consecutive terms as the Chair and no person shall service consecutive terms as Vice Chair. Successive Chairs shall not representatives of the same Member.”


Section 2. The Fourth Amendment shall constitute the written instrument of approval required by Section 19 of the Third Amendment and Restatement of the Joint Exercise of Powers Agreement (Agreement) dated as of March 6, 1995.

IN WITNESS WHEREOF, the Members have caused this Fourth Amendment to be duly executed and attested by their respective officers, duly authorized so to act, as of the date set forth in the first paragraph of the Fourth Amendment.

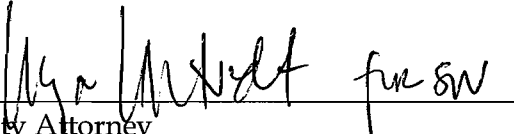
ATTEST:

CITY OF EL CERRITO

  
\_\_\_\_\_  
City Clerk

  
\_\_\_\_\_  
Mayor

APPROVED AS TO FORM:

  
\_\_\_\_\_  
City Attorney

APPROVED AS TO FORM:

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City Attorney

ATTEST:

Doreen Matthews  
City Clerk

CITY OF HERCULES

Janne Ford  
Mayor

APPROVED AS TO FORM:

[Signature]  
City Attorney

ATTEST:

CITY OF PINOLE

Alice Johnson  
City Clerk 3/1/11

Jay Deering  
Mayor

APPROVED AS TO FORM:

Benj. D. Byrd  
City Attorney 3/1/11

ATTEST:

Marla DeLoe, Deputy  
City Clerk

CITY OF RICHMOND

Steve McLaughlin  
Mayor

APPROVED AS TO FORM:

[Signature]  
City Attorney

ATTEST:

*Latanya HL*

City Clerk

*Latanya Fisher, Exec. Asst.  
for Deputy City Clerk*

CITY OF SAN PABLO

Mayor

APPROVED AS TO FORM:

City Attorney