

FIRST AMENDMENT TO  
SEWERAGE AGENCY OF SOUTHERN MARIN  
JOINT EXERCISE OF POWERS AGREEMENT

THIS FIRST AMENDMENT, dated for convenience as of October 1, 1979, by and between ALMONTE SANITARY DISTRICT, ALTO SANITARY DISTRICT, CITY OF MILL VALLEY, RICHARDSON BAY SANITARY DISTRICT and TAMALPAIS COMMUNITY SERVICES DISTRICT.

R E C I T A L S

WHEREAS, the parties hereto have previously entered into an agreement entitled SEWERAGE AGENCY OF SOUTHERN MARIN JOINT EXERCISE OF POWERS AGREEMENT, dated for convenience as of June 1, 1979;

WHEREAS, the parties hereto desire to amend said Agreement in certain particulars;

NOW, THEREFORE, the parties hereto do hereby agree to amend Sections 6, 7 and 8 of said Agreement to read, respectively, as follows:

"Section 6. Governing Body of the Agency. The Agency shall be governed by the Sewerage Agency of Southern Marin Commission.

Each Member Entity shall appoint one commissioner as its representative on the Commission. Each Commissioner shall have one vote. Each Member Entity shall also appoint an alternate commissioner.

Each commissioner and alternate shall be a voting member of the governing body of the Member Entity that he or she represents. A commissioner shall serve in such a manner and for such term as the Member Entity that he or she represents may determine.";

"Section 7. Officers and Duties. A President, a Vice-President and a Secretary shall be elected by

the Commission from its own members, the term of office for each such office to be one year and until a successor is elected to such office.

The President shall sign all contracts on behalf of the Agency and perform such other duties as may be imposed by the Commission. With the approval of the Commission, the President may delegate to the Administrative Officer the power to sign contracts on behalf of the Agency. The Vice-President shall act in the absence of the President. The Secretary shall countersign all contracts on behalf of the agency; perform such other duties as may be imposed by the Commission; and keep minutes of all meetings and cause a copy of the minutes to be forwarded to each of the members of the Commission and each of the Member Agencies.

The Commission may appoint and employ an Administrative Officer or an acting Administrative Officer who shall perform such duties as may be imposed by the Commission and who shall report to the Commission in accordance with such rules and regulations as the Commission may adopt.

In the absence of an Administrative Officer, the President shall perform the duties of the Administrative Officer.

The Treasurer of the County of Marin is hereby designated as the treasurer of the Agency and as the depositary to have custody of all the moneys of the Agency from whatever source. The Auditor-Controller of the County of Marin is hereby designated as the auditor-controller of the Agency. The treasurer and auditor-controller shall have the duties and obligations set forth in Section 6505.5 of the Government Code of the State of California.";

"Section 8. Advisory Members. Representatives who are voting members of the governing bodies of the City of Belvedere, Sanitary District No. 5 of Marin County, Sausalito - Marin City Sanitary District, City of Sausalito, and Marin Municipal Water District shall be advisory members of the Commission. In addition, a representative appointed by the Marin County Board of Supervisors shall be an advisory member of the Commission. Such members shall have rights to participate in discussion in matters of planning. Such advisory members shall have no power to vote or to make or second motions and shall not count towards a quorum.";

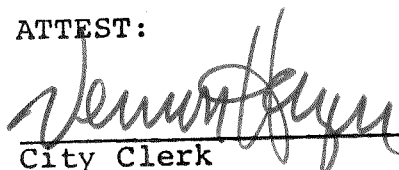
and to amend Exhibit II attached to said Agreement to read as Exhibit II hereto attached and incorporated by reference herein.

This Amendment shall become effective when all parties hereto shall have authorized execution thereof by their respective governing bodies.

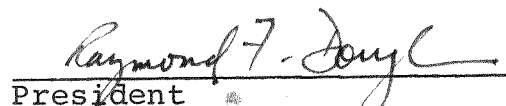
CITY OF MILL VALLEY,  
a Municipal Corporation

  
\_\_\_\_\_  
Mayor

ATTEST:

  
\_\_\_\_\_  
City Clerk (SEAL)

ALMONTE SANITARY DISTRICT,  
a Public Corporation

  
\_\_\_\_\_  
President

ATTEST:

  
\_\_\_\_\_  
Secretary (SEAL)

ALTO SANITARY DISTRICT,  
a Public Corporation

George Hoffman  
President

ATTEST:

Sharon Smith  
Secretary

(SEAL)

RICHARDSON BAY SANITARY DISTRICT,  
a Public Corporation

Frank Hoffman  
President

ATTEST:

John Rabin  
Secretary

(SEAL)

TAMALPAIS COMMUNITY SERVICES  
DISTRICT, a Public Corporation

Eugene Spake  
President

ATTEST:

Edward Mitchell  
Secretary

(SEAL)