

AMENDMENT NO. 1 TO THE THIRD AMENDMENT AND RESTATEMENT OF THE JOINT POWERS AGREEMENT OF THE COACHELLA VALLEY ASSOCIATION OF GOVERNMENTS

This Amendment No. 1 to the Third Amendment and Restatement of the Joint Powers Agreement of the Coachella Valley Association of Governments ("Amendment") is entered into as of _____, 202__, by and among the parties to the Third Amendment and Restatement of the Joint Powers Agreement of the Coachella Valley Association of Governments ("Agreement").

RECITALS

A. The County of Riverside, City of Coachella, City of Indio, City of La Quinta, City of Indian Wells, City of Palm Desert, City of Rancho Mirage, City of Cathedral City, City of Palm Springs, City of Desert Hot Springs, City of Blythe, Agua Caliente Band of Cahuilla Indians, Cabazon Band of Cahuilla Indians, Torres Martinez Desert Cahuilla Indians, and Twenty-Nine Palms Band of Mission Indians are parties ("Parties") to that certain Third Amendment and Restatement of the Joint Powers Agreement of the Coachella Valley Association of Governments.

B. The Parties desire to amend certain provisions of the Agreement relating to Executive Committee alternates and Executive Committee attendance requirements.

NOW, THEREFORE, the parties agree as follows:

1. Amendment to Section 2.4.3.

Section 2.4.3 of the Agreement is hereby amended in its entirety to read as follows:

2.4.3 Each participating member on the Executive Committee shall also have an alternate, who must also be a current member of the legislative body of the party such alternate represents, with the exceptions being the alternates to the members representing the County of Riverside, who need not be elected officials, and the alternates of members representing Tribal Nations, who may also be their highest-level executive or administrative officer so long as they are formally appointed by resolution of the Tribal Nation's legislative body. The name of the alternate members shall be on file with the Executive Committee. An alternate member shall assume all rights and duties of the absent member, to the extent permitted by applicable law.

2. Addition of Section 2.4.6.

A new Section 2.4.6 is hereby added to the Agreement to read as follows:

2.4.6 The Executive Committee may adopt and amend bylaws governing attendance by Executive Committee members and their alternates at meetings of the Executive Committee. Such bylaws may establish attendance requirements and standards and may provide consequences for repeated absences, including the temporary suspension, deactivation, or loss of voting privileges of an Executive Committee member, provided that any such action is implemented in a manner consistent with applicable law and the terms of this Agreement. The Executive Committee may also establish procedures for restoring voting privileges and determining compliance with attendance requirements.

3. Continuing Effect

Except as expressly amended by this Amendment, all provisions of the Agreement shall remain unchanged and in full force and effect.

4. Execution in Counterparts

This Amendment may be executed on behalf of the respective Parties in one or more counterparts, all of which shall collectively constitute one agreement.

5. Effective Date

This Amendment shall become effective upon approval by at least two-thirds (2/3) of the Parties to the Agreement, as required by Section 6 of the Agreement. The Executive Director of CVAG shall determine and certify the date upon which the required approvals have been obtained, and such date shall constitute the effective date of this Amendment.

IN WITNESS WHEREOF, the Parties have caused this Amendment to be executed by their duly authorized representatives.

City of Blythe

By: _____

Date: _____

City of Coachella

By: _____

Date: _____

City of Cathedral City

By: _____

Date: _____

City of Desert Hot Springs

By: _____

Date: _____

City of Indian Wells

By: _____

Date: _____

City of La Quinta

By: _____

Date: _____

City of Palm Springs

By: _____

Date: _____

County of Riverside

By: _____

Date: _____

Cabazon Band of Cahuilla Indians

By: _____

Date: _____

Twenty-Nine Palms Band of Mission Indians

By: _____

Date: _____

City of Indio

By: _____

Date: _____

City of Palm Desert

By: _____

Date: _____

City of Rancho Mirage

By: _____

Date: _____

Agua Caliente Band of Cahuilla Indians

By: _____

Date: _____

Torres Martinez Desert Cahuilla Indians

By: _____

Date: _____