

**FIRST AMENDMENT TO
AGREEMENT REGARDING NUMBER AND COMPOSITION OF THE
SHASTA COUNTY AIR POLLUTION CONTROL BOARD**

This First Amendment to the Agreement Regarding Number and Composition of the Shasta County Air Pollution Control Board is entered into between the County of Shasta, a political subdivision of the State of California, the City of Redding, California, a general law city, and the City of Anderson, California, a general law city. All parties are hereinafter referred to individually as "Party" and collectively as "Parties."

RECITALS

- A. The Shasta County Air Pollution Control Board is the governing board for the Shasta County Air Quality Management District.
- B. The Shasta County Air Quality Management District is a County Air Pollution Control District pursuant to Health & Safety Code section 40100, *et seq.*
- C. Pursuant to Health & Safety Code section 40100.5, the City of Redding and the City of Anderson previously desired to have representation on the Shasta County Air Pollution Control Board.
- D. Effective February 1, 2013, the County of Shasta, the City of Redding, and the City of Anderson entered into an Agreement Regarding Number and Composition of the Shasta County Air Pollution Control Board (the "Agreement") establishing, among other things, representation on the Shasta County Air Pollution Control Board by the City of Redding and the City of Anderson.
- E. Pursuant to City of Anderson Resolution No. 15-18, dated April 7, 2015, the City Council of the City of Anderson has resolved to withdraw the City of Anderson from representation on the Shasta County Air Pollution Control Board and for this purpose, desires an amendment to the Agreement.

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**NOW, THEREFORE, IT IS MUTUALLY AGREED BY ALL PARTIES AS
FOLLOWS:**

I. Section 1 ("Board Composition") of the Agreement is amended in its entirety to read as follows:

1. Board Composition

The Shasta County Air Pollution Control Board ("APCB") shall be composed of five members. Three members shall be members of the Shasta County Board of Supervisors, and two members shall be city council members from the City of Redding (one of whom may also be serving as the mayor for the City of Redding). Selection of the members shall be as follows:

- a. The members who are Shasta County Supervisors shall be selected by the Shasta County Board of Supervisors, in accordance with Health & Safety Code section 40100.5(d)(3).
- b. The members who are the mayor or city council members from the City of Redding shall be selected by the City Selection Committee established pursuant to Government Code § 50270, in accordance with Health & Safety Code section 40100.5(d)(1).

II. Subdivision (e) of section 3 ("Additional Provisions") of the Agreement is amended in its entirety to read as follows:

- e. This Agreement may be terminated by the adoption of a resolution by the City of Redding to the exclusion of the Shasta County Air Quality Management District from the requirements of Health & Safety Code section 40100.5, and there is compliance with Health & Safety Code section 40100.7.

All other provisions of section 3 ("Additional Provisions") of the Agreement are not impacted by this First Amendment and remain in full force and effect.

III. Withdrawal by City of Anderson: The Parties hereby consent and agree to the voluntary withdrawal by the City of Anderson from having a representative on the Shasta County Air Pollution Control Board ("APCB"). Accordingly, none of the members of the APCB's Board shall be a mayor or city council member from the City of Anderson.

IV. Reaffirmation: In all other respects, the Agreement, as amended, remains in full force and effect.

V. Effective Date: Unless otherwise provided, this First Amendment shall be deemed effective June 2, 2015.

IN WITNESS WHEREOF, the Parties have executed this First Amendment to the Agreement on the dates set forth below.

Date: 6/2/15

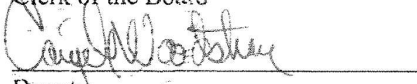
COUNTY OF SHASTA



LEONARD MOTY, Chairman
Shasta County
Board of Supervisors

ATTEST:

LAWRENCE G. LEES
Clerk of the Board


Deputy

Approved as to form:
Rubin E. Cruse, Jr., County Counsel

Date: 5/27/15

By: 

[SIGNATURE PAGE CONTINUES ON PAGE 4]

Signed in counterparts

CITY OF REDDING

Date: 4-9-13

Francie Sullivan
FRANCIE SULLIVAN, Mayor

ATTEST:

PAMELA MIZE
Redding City Clerk

Pamela Mize
By:

Approved as to form:
Barry DeWalt, Redding City Attorney

By: Barry DeWalt

Date: 4-9-13

CITY OF ANDERSON

Date: _____

Melissa Hunt
MELISSA HUNT, Mayor

ATTEST:

JUANITA BARNETT
Anderson City Clerk

By:

Approved as to form:
Ann Siprelle, Anderson City Attorney

By: _____

Date: _____

CITY OF REDDING

Date: _____

FRANCIE SULLIVAN, Mayor

ATTEST:

PAMELA MIZE
Redding City Clerk

By: _____

Approved as to form:
Barry DeWalt, Redding City Attorney

Date: _____

By: _____

CITY OF ANDERSON

Date: 6/8/2015

MELISSA HUNT, Mayor

ATTEST:

JUANITA BARNETT
Anderson City Clerk

By:

Approved as to form:
Ann Siprelle, Anderson City Attorney

Date: _____

By: _____