

SECOND AMENDMENT TO JOINT EXERCISE OF POWERS
AGREEMENT BETWEEN BIG BEAR CITY COMMUNITY
SERVICES DISTRICT, BIG BEAR LAKE SANITATION
DISTRICT AND SAN BERNARDINO COUNTY CREATING
THE BIG BEAR AREA REGIONAL WASTEWATER AGENCY

THIS AMENDATORY AGREEMENT made this 15th day of January,
1979, by and between BIG BEAR CITY COMMUNITY SERVICES DISTRICT
(hereinafter referred to as "BBCCSD"), BIG BEAR LAKE SANITATION
DISTRICT (hereinafter referred to as "BBLSD"), and the COUNTY OF
SAN BERNARDINO (hereinafter referred to as "County") on behalf
of San Bernardino County Service Area 53.

RECITALS

(1) WHEREAS, on March 22, 1974, the parties entered into
a joint exercise of powers agreement ("the Agreement") creating
the BIG BEAR AREA REGIONAL WASTEWATER AGENCY; and

(2) WHEREAS, the Agreement was amended by an Agreement
dated April 28, 1975 to delete Section 12; and

(3) WHEREAS, the parties desire to further amend the
Agreement to: (a) clarify the manner in which the Agency's
Governing Board may take action, (b) empower the Agency to
borrow money and issue notes or grant anticipation notes as
evidence of the indebtedness created thereby, and (c) provide
that the powers of the Agency shall be subject to the restrictions
on the manner of exercising the powers of BBCCSD;

AGREEMENT

NOW, THEREFORE, THE PARTIES AGREE AS FOLLOWS:

1. Section 3 of the Agreement shall be amended by adding to Subsection C, Paragraph (5) which shall read as follows:

"(5) Form of Action. The Governing Board shall act only by ordinance, resolution or motion,"

2. Section 5 of the Agreement shall be amended as follows:

2.1 By relettering Subparagraph (t) so that said Subparagraph will become Subparagraph (v) and read as follows:

"(v) To exercise all other powers common to the parties to this Agreement not hereinabove specifically mentioned which may be necessary to carry out the purpose of this Agreement."

2.2 By adding Subparagraphs (t) and (u) which shall read as follows:

"(t) To borrow money pursuant to Article 7.6 (commencing with Section 53850), Chapter 4, Part 1, Division 2, Title 5 of the Government Code, such indebtedness to be represented by a note or notes issued to the lender pursuant to said article;

"(u) To borrow money pursuant to Article 7.7 (commencing with Section 53859), Chapter 4, Part 1, Division 2, Title 5 of the Government Code, such

"indebtedness to be represented by a grant anticipation note or notes issued to the lender pursuant to said article;"

2.3 By amending the last Paragraph of said Section 5 to read as follows:

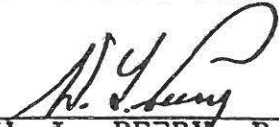
"The powers of the Agency are subject to the restrictions upon the manner of exercising the powers of BBCCSD, as provided in the Community Services District Law, Division 3 (commencing with Section 61000), Title 6 of the Government Code."

3. Each of the parties hereto ratifies the execution of the Agreement and the First Amendment to the Agreement and agrees that the Agreement as amended by said First Amendment and this Agreement shall be and remain fully operative.

IN WITNESS WHEREOF, the parties hereby have caused this Amendatory Agreement to be executed and attested by their proper officers thereunto duly authorized, and their official seals to be hereto affixed, as of the day and year first above written.

BIG BEAR CITY COMMUNITY SERVICES DISTRICT


By:



W. L. PEERY, President of the
Board of Directors of Big Bear
City Community Services District

ATTEST:

By:



EARL L. BLACK, Secretary of the
Board of Directors of Big Bear
City Community Services District

BIG BEAR LAKE SANITATION DISTRICT
and the COUNTY OF SAN BERNARDINO
on behalf of San Bernardino County
Service Area 53

By: 

JAMES L. MAYFIELD, Chairman
of San Bernardino County Board
of Supervisors, Governing Body
of Big Bear Lake Sanitation
District and San Bernardino
County Service Area 53

ATTEST:

ANDREE DISHAROON, Acting Clerk of said Board

By: 

Deputy Clerk

APPROVED AS TO FORM this 11th day of December, 1978.

ALAN K. MARKS, County Counsel

By: 

Deputy County Counsel

APPROVED AS TO FORM this ___ day of _____, 197__.

BEST, BEST & KRIEGER

By: _____

RICHARD T. ANDERSON

Legal Counsel, Big Bear City
Community Services District