

AMENDMENT NO. 5

JOINT POWERS AGREEMENT

AMERICAN RIVER AUTHORITY

This Amendment No. 5 to the American River Authority Joint Powers Agreement is made and entered into this 9th day of June, 2014, pursuant to the Joint Exercise of Powers Act, by and between Placer County, El Dorado County, Placer County Water Agency, El Dorado County Water Agency and San Joaquin County. These public entities are hereinafter collectively referred to as the “parties” or “member entities.”

1. On June 8, 1982, the parties entered into the Joint Powers Agreement, American River Authority; on July 20, 1982, they entered into Amendment No. 1 to that Agreement; on July 25, 1989, they entered into Amendment No. 2 to that Agreement; on November 14, 1995, they entered into Amendment No. 3 to that Agreement; and on April 7, 1998, they entered into Amendment No. 4 of that Agreement.

2. The parties now wish to further amend the Joint Powers Agreement by modifying the requirements for financial reporting of the American River Authority.

NOW, THEREFORE, IT IS MUTUALLY AGREED THAT THE FOLLOWING CHANGES AND ADDITIONS ARE HEREBY MADE TO THE JOINT POWERS AGREEMENT, AMERICAN RIVER AUTHORITY:

1. Subsection 4.02(d) is amended to read as follows:

Subsection 4.02(d). All funds of the Authority shall be strictly, and separately, accounted for; and regular reports shall be rendered of all receipts and disbursements, at least quarterly during the fiscal year. The books and records of the authority shall be open to inspection by the member entities, and by bondholders as and to the extent provided by resolution or indenture. The Auditor/Controller shall either make or contract with a certified public accountant or public accountant to conduct an audit of the accounts and records of the authority, which shall be conducted, at a minimum, in accordance with the requirements of the State Controller under Section 26909 of the California Government Code, and shall conform to generally accepted auditing standards.

The audit pursuant to this Subsection shall be conducted on a schedule in conformance with the provisions of California Government Code subsection 26909(b)(2), which allows, in lieu of an annual audit, an audit covering a five year period if the Authority's annual revenues or expenditures do not exceed an amount specified by the members' Board of Supervisors, which amount is hereby specified as \$20,000.

IN WITNESS WHEREOF, the parties have executed this Amendment No.5 to the American River Authority Joint Powers Agreement to be effective on the date first above written.

PLACER COUNTY

PLACER COUNTY WATER AGENCY

By _____
Chair

By _____
Chair

ATTEST:

ATTEST:

Clerk

Secretary

EL DORADO COUNTY

EL DORADO COUNTY WATER AGENCY

By _____
Chair

By _____
Chair

ATTEST:

ATTEST:

Clerk

Secretary

SAN JOAQUIN COUNTY

By _____
Chair

ATTEST:

Clerk