

This Amendment No. 4 to the Agreement for the Joint Exercise of Powers (“Agreement”) Relative to the San Bernardino Associated Governments is entered into by and between San Bernardino County, a political subdivision of the State of California; the City of Adelanto, a charter city; the Town of Apple Valley, a municipal corporation; the City of Barstow, a municipal corporation; the City of Big Bear Lake, a charter city; the City of Chino, a municipal corporation; the City of Chino Hills, a municipal corporation; the City of Colton, a municipal corporation; the City of Fontana, a municipal corporation; the City of Grand Terrace, a municipal corporation; the City of Hesperia, a municipal corporation; the City of Highland, a municipal corporation; the City of Loma Linda, a charter city; the City of Montclair, a municipal corporation; the City of Needles, a charter city; the City of Ontario, a municipal corporation; the City of Rancho Cucamonga, a municipal corporation; the City of Redlands, a municipal corporation; the City of Rialto, a municipal corporation; the City of San Bernardino, a charter city; the City of Twentynine Palms, a municipal corporation; the City of Upland, a municipal corporation; the City of Victorville, a charter city; the City of Yucaipa, municipal corporation; and the Town of Yucca Valley, a municipal corporation.

RECITALS

1. WHEREAS, each party to the Agreement is a public agency and is authorized to enter into this Amendment No. 4;
2. WHEREAS, each party to the Agreement entered into and executed a Joint Powers Agreement creating an organization (San Bernardino Associated Governments) to explore and study countywide, subregional and regional problems and to effect improved intergovernmental cooperation; and
3. WHEREAS, the parties have previously amended the Agreement three times, the last time being in 1975; and
4. WHEREAS, the parties desire to amend the Agreement to rename the entity formed by the Agreement to be San Bernardino Council of Governments; and
5. WHEREAS, the Agreement’s funding mechanism is outdated, and as such, the parties desire to amend the Agreement to provide greater funding to the joint powers entity in a more equitable manner.

NOW, THEREFORE, the parties hereto agree as follows:

1. The joint powers entity formed by the Agreement shall be known as the San Bernardino Council of Governments (“SBCOG”). All instances of “San Bernardino Associated Governments” in the Agreement are replaced with “San Bernardino Council of Governments.” All instances of “SANBAG” are replaced with “SBCOG.” All instances of “the Association” or “the association” in reference to the joint powers entity are replaced with “the COG.”
2. The article titled “ASSESSMENTS” is removed and replaced in its entirety with the following:

ASSESSMENTS

10. In reviewing the budget, the Board of Directors shall determine what assessments are necessary. Such assessments shall be calculated in accordance with SBCOG policy adopted by the Board of Directors. The policy will identify a particular method or formula specifying how member agency dues shall be assessed, and will also allow for optional, subscription

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assessments that member agencies may opt in to on a voluntary basis, based on a Board-adopted budget or budget amendment and a subscription work program.

Each party shall be informed of its estimated assessment by April 1. After the final budget becomes effective, the Board of Directors shall determine the precise amount of the assessment, if any may be necessary, and the parties shall be so informed. Assessments shall be payable on or before August 1 for the fiscal year starting July 1.

In addition to the assessments referenced in the preceding paragraphs, advances from the public funds of the parties hereto may be made for the purposes set forth in this Agreement. When such advances are made, they shall be repaid from the first available funds.

The Board of Directors shall have the power to authorize utilization of personnel, equipment, or property of one or more of the parties to this Agreement in complete or partial satisfaction of such party's obligations to pay assessments or make advances.

All assessments or other monetary obligations hereunder shall be paid to the COG and shall be authorized for expenditure by a majority vote of the Board of Directors in connection with the adoption of the annual budget.”

- 3. This Amendment No. 4 shall become binding upon each party hereto upon that party's execution.

Signed and attested by the following:

Jurisdiction	Date
_____ City of Adelanto	_____
_____ City of Apple Valley	_____
_____ City of Barstow	_____
_____ City of Big Bear Lake	_____
_____ City of Chino	_____
_____ City of Chino Hills	_____
_____ City of Colton	_____
_____ City of Fontana	_____
_____ City of Grand Terrace	_____
_____ City of Hesperia	_____

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City of Highland	
City of Loma Linda	
City of Montclair	
City of Needles	
City of Ontario	
City of Rancho Cucamonga	
City of Redlands	
City of Rialto	
City of San Bernardino	
City of Twentynine Palms	
City of Upland	
City of Victorville	
City of Yucaipa	
Town of Yucca Valley	
County of San Bernardino	

Board Adopted: January 3, 2024