

SECOND AMENDMENT TO AGREEMENT

This Second Amendment to the Joint Exercise of Powers Agreement to provide school bus services ("Second Amendment") is made as of the 21st day of August, 2007, by and between the City of Lafayette, Town of Moraga, the City of Orinda, the Lafayette School District, the Moraga School District, the Orinda School District, and the Acalanes Unified High School District. The parties are sometimes individually referred to as "Party" and collectively as "Parties."

RECITALS

A. On July 13, 1994, a joint exercise of powers agreement was executed to provide for school bus services between the City of Lafayette, Town of Moraga, the City of Orinda, the Lafayette School District, the Moraga School District, and the Orinda School District ("Agreement").

B. On July 18, 1997, the Agreement was amended to revise the establishment and designation of the Board of Directors ("First Amendment").

C. The Parties now desire to further amend the Agreement to include Acalanes Unified High School District as a member agency and provide transportation services to students in grades K-12.

NOW, THEREFORE, IN CONSIDERATION OF THE MUTUAL PROMISES SET FORTH IN THIS AMENDMENT AND OTHER VALUABLE CONSIDERATION, THE PARTIES AGREE AS FOLLOWS:

1. Parties. Section 2 is hereby amended to include Acalanes Unified High School District as a party to the Agreement for the 2007-2008 school year and shall be referred to as "School Districts".

2. Purpose. Section 3 of the Agreement is hereby amended in its entirety to read as follows:

"The Municipalities and School Districts desire to operate a joint bus program to serve students in grades K-12 in order to relieve traffic congestion.

The purpose of this Agreement is to establish an agency for overseeing and operating a joint bus program to serve public school children in grades K-12. The program is designed to decrease traffic congestion"

3. Specific Powers. Section 12(a) is hereby amended in its entirety as follows:

"a. prepare and develop plans for and implement a joint bus program servicing public school students in grades K-12;"

4. No Other Amendments. Except as set forth in this Second Amendment to the Agreement, the First Amendment, and the Agreement remain in full force and effect according to its terms.

5. Incorporation of Amendment. From and after the effective date of this Amendment, wherever the term "Agreement" appears in the Agreement, it shall be read and understood to mean the Agreement as amended by the First Amendment and this Second Amendment.

6. Counterparts. This Second Amendment may be executed in counterparts, each of which shall constitute an original.

IN WITNESS WHEREOF, the Parties have executed this Second Amendment as of the date first written above.

[Signatures on the following pages]

City of Lafayette

Carol Federighi
Mayor

Attest:

Joanna Robbins
City Clerk

Town of Moraga

Mayor

Attest:

Town Clerk

City of Orinda

Mayor

Attest:

City Clerk

City of Lafayette

Mayor

Attest:

City Clerk

Town of Moraga



Mayor

Attest:


Town Clerk *Darlene Colaso*

City of Orinda

Mayor

Attest:

City Clerk

City of Lafayette

Mayor

Attest:

City Clerk

Town of Moraga

Mayor

Attest:

Town Clerk

City of Orinda

Steven Hozer

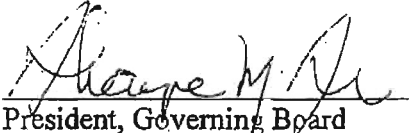
Mayor

Attest:


Michelle Ols

City Clerk

Lafayette School District


President, Governing Board
Shayne M. Silva

Attest:


Secretary, Governing Board
William J. Levinson

Moraga School District

President, Governing Board

Attest:

Secretary, Governing Board

Orinda School District

President, Governing Board

Attest:

Secretary, Governing Board

Acalanes Unified High School District

President, Governing Board

Attest:

Secretary, Governing Board

Lafayette School District

President, Governing Board

Attest:

Secretary, Governing Board

Moraga School District

Charles Max Nulty

President, Governing Board

Attest:

Richard A. Schif

Secretary, Governing Board

Orinda School District

President, Governing Board

Attest:

Secretary, Governing Board

Acalanes Unified High School District

President, Governing Board

Attest:

Secretary, Governing Board