

**FIRST AMENDMENT TO
JOINT EXERCISE OF POWERS AGREEMENT:
WORKFORCE INVESTMENT ACT OF 1998 DEVELOPMENT SERVICES**

THIS FIRST AMENDMENT TO JOINT EXERCISE OF POWERS AGREEMENT ("First Amendment"), dated January 26, 2016 (the "Effective Date"), amends that certain JOINT EXERCISE OF POWERS AGREEMENT; WORKFORCE INVESTMENT ACT OF 1998 DEVELOPMENT SERVICES dated May 19, 2009 (the "Agreement"), by and between the COUNTY OF FRESNO (the "County"), a political subdivision of the State of California, and the CITY OF FRESNO (the "City"), a municipal corporation of the State of California. The County and the City are sometimes collectively referred to herein as the "Members" and singularly as a "Member."

R E C I T A L S

A. WHEREAS, the Workforce Innovation and Opportunity Act of 2014 ("WIOA") supersedes and amends the Workforce Investment Act of 1998 ("WIA") to, among other things, strengthen the United States workforce development system through innovation in, and alignment and improvement of, employment, training, and education programs in the United States, and to promote individual and national economic growth; and

B. WHEREAS, the Agreement, a copy of which is attached hereto as Exhibit "B" and incorporated herein by this reference, must be modified to reflect amendments to the WIA by the WIOA;and

C. WHEREAS, Section 25 of the Agreement provides that the Agreement may be modified at any time by written amendment executed by the Members; and

D. WHEREAS, the County and the City now desire to amend the Agreement.

NOW, THEREFORE, in consideration of the mutual promises, covenants, and conditions herein set forth, the County and City hereby agree to amend the Agreement as follows:

1. Amendment to Title. The title of the Agreement is deleted in its entirety and replaced with the following:

**"JOINT EXERCISE OF POWERS AGREEMENT: WORKFORCE
INNOVATION AND OPPORTUNITY ACT OF 2014 DEVELOPMENT
SERVICES"**

2. Amendment to Recital. The first Recital paragraph of the Agreement is deleted in its entirety and replaced with the following:

"WHEREAS, the federal Workforce Innovation and Opportunity Act of 2014 (Public Law 113-128, 29 U.S.C. § 3101, et seq.) (the "Act"), provides financial assistance enabling local governments within local workforce

development areas to assume responsibilities for job training, employer services, community services, and for other purposes, and provides that, when a local area includes more than one (1) unit of general local government, the chief elected officials of such units may execute an agreement that specifies the respective roles of the individual chief elected officials for overseeing, planning, developing, and monitoring a comprehensive delivery system; and"

3. Amendment to Agency Name. Every reference in the Agreement to "Fresno Regional Workforce Investment Board" shall be deleted in its entirety and replaced with "Fresno Regional Workforce Development Board," and every reference to "FRWIB" shall be deleted in its entirety and replaced with "FRWDB."

4. Amendment to Area Identification. Every reference in the Agreement to "Workforce Investment Area" shall be deleted in its entirety and replaced with "Workforce Development Area," and every reference to "LWIA" shall be deleted in its entirety and replaced with "LWDA."

5. New Exhibit "A-1". Exhibit "A" to the Agreement is deleted and replaced by new Exhibit "A-1", a copy of which is attached hereto and incorporated herein by this reference.

6. Effect of Amendment. Except as provided in this First Amendment, all of the terms and conditions of the Agreement shall remain in full force and effect.

7. Counterparts. This First Amendment may be executed in counterparts, each of which when so executed shall be deemed an original, but all such counterparts together shall constitute but one and the same instrument.

IN WITNESS WHEREOF, the Members have caused this First Amendment to Agreement to be executed and effective as of the date and year first hereinabove written.

"City"

**CITY OF FRESNO, a municipal
corporation**

By: _____
[Name/Title]

Date: _____

"County"

**COUNTY OF FRESNO, a political
subdivision of the State of California**

By: Ernest Buddy Mendes
Ernest Buddy Mendes, Chairman

Date: 1-27-16

ATTEST:

BERNICE E. SEIDEL, Clerk
Board of Supervisors

By: Susan Bishop
Deputy

ATTEST:

By: _____
Clerk

Date: _____

APPROVED AS TO FORM:

By: _____
City Attorney

Date: _____

ATTEST:

By: See Previous Page For Attestation
Clerk

Date: _____

APPROVED AS TO FORM:

By: _____
County Counsel

Date: _____