

AMENDMENT
TO
INTERGOVERNMENTAL AGREEMENT
AND
DECLARATION OF TRUST

This amendment to Intergovernmental Agreement and Declaration of Trust is made and entered into effective as of the Effective Date (defined below) by all of the Trustees and Participants of the Northern Arizona Public Employees Benefit Trust (“NAPEBT”).

WHEREAS, the Intergovernmental Agreement and Declaration of Trust, recorded on July 6, 1993, and entered into pursuant to Arizona Revised Statutes §11-952, established the Northern Arizona Public Employees Benefit Trust, referred to as NAPEBT, for the purpose of providing and maintaining Health and Welfare Benefits for Employees of the Participants and certain members of their families (the “Original Agreement”); and

WHEREAS, the Original Agreement was amended and restated in its entirety pursuant to an amendment effective August 10, 2006 (the “Amended and Restated Agreement”); and

WHEREAS, the Trustees and Participants wish to amend the Amended and Restated Agreement as set forth herein.

NOW THEREFORE, the Trustees and Participants hereby agree as follows:

1. Section 1.9 of the Amended and Restated Agreement is hereby amended in its entirety to read as follows:

1.9 The term "Participant" means the Public Employers that are signatories to this Trust Agreement, and any other Public Employers who may subsequently become signatories to this Trust Agreement. To be a Participant, if not already a Participant as of the date of Amended and Restated Agreement, a Public Employer must also meet the following criteria:

1.9.1 At the time of joining NAPEBT, the Public Employer has at least one hundred (100) active (non-retiree) employees to be covered under the Plan Document; or

1.9.2 Immediately prior to joining NAPEBT, the population of active employees of the Public Employer was employed by one of the existing Participants and began working for the new Participant as a result of a separation of a unit of employees from that existing Participant.

2. Article I of the Amended and Restated Trust Agreement is hereby amended to add a new Section 1.10 as follows:

1.10. The term “Public Employer” means a political subdivision of the State of Arizona that qualifies as such under Section 115 of the Internal Revenue Code and also qualifies as public agency within the meaning of A.R.S. §11-951.

3. This Amendment will be effective when executed and approved by all of the Trustees and Participants and recorded with the Coconino County Recorder.

4. Except as expressly provided herein, the Amended and Restated Trust Agreement shall remain in full force and effect.

5. This Amendment may be executed in any number of counterparts, each of which when so executed and delivered shall be deemed an original, but all of which together shall constitute one and the same instrument and shall become effective when one or more counterparts hereof have been signed by all of Members and delivered to the Company. Delivery of an executed counterpart signature page of this Amendment by facsimile or electronic transmission in a Tagged Image File Format (“TIFF”), Portable Document Format (“PDF”), or other electronic format sent by electronic mail shall be effective as delivery of a manually executed counterpart hereof.

[Signatures on following pages]

IN WITNESS WHEREOF, the parties hereto have executed this Agreement on the dates set forth below.

COCONINO COMMUNITY COLLEGE DISTRICT:

By: Dr. Eric A. Heiser
Its: President & CEO

Date: _____

Approved as to form:

Nathan Schott, Attorney

Date: _____

Attest:

Date: _____

TRUSTEE APPOINTED BY COCONINO COMMUNITY COLLEGE DISTRICT:

Jami Van Ess, Executive
Vice President/CFO

Date: _____

CITY OF FLAGSTAFF:

By: Becky Daggett
Its: Mayor

Date: _____

Approved as to form:

Sterling Solomon, City Attorney

Date: _____

Attest:

Stacy Saltzburg, City Clerk

Date: _____

TRUSTEE APPOINTED BY CITY OF FLAGSTAFF:

Jennifer Caputo, Deputy Human Resources
Director

Date: _____

COCONINO COUNTY

By: Judy Begay
Its: Board Chair

Date: _____

Approved as to form:

Ammon Barker, Deputy County Attorney

Date: _____

Attest:

Lindsay Daley, Clerk of the Board

Date: _____

TRUSTEE APPOINTED BY COCONINO COUNTY:

Erika Philpot, Deputy County Manager

Date: _____

COCONINO ACCOMODATION SCHOOL DISTRICT

By: Erin Tutay,
Its: Director of Business Services

Date: _____

**NORTHERN ARIZONA INTERGOVERNMENTAL PUBLIC
TRANSPORTATION AUTHORITY:**

By: Tony Williams
Its: Chairperson

Date: _____

Approved as to form:

Scott Holcomb, Attorney

Date: _____

KACHINA VALLEY IMPROVEMENT DISTRICT:

By: Sam Mossman
Its: Utility Director

Date: _____

Approved as to form:

Steve Wene, Attorney

Date: _____

FLAGSTAFF UNIFIED SCHOOL DISTRICT:

By: Michael A. Penca
Its: Superintendent

Date: _____

Approved as to form:

Brandon J. Kavanagh, Attorney

Date: _____

TRUSTEE APPOINTED BY FLAGSTAFF UNIFIED SCHOOL DISTRICT:

Ginger Stevens, Director of Finance
& Business Services

Date: _____