

THE BOARD OF SUPERVISORS OF THE COUNTY OF STANISLAUS
ACTION AGENDA SUMMARY

DEPT: CHIEF EXECUTIVE OFFICE

BOARD AGENDA # *B-4

Urgent _____ Routine X

AGENDA DATE March 27, 2001

CEO Concurs with Recommendation YES g NO _____
(Information Attached)

4/5 Vote Required YES _____ NO ✓

SUBJECT: APPROVE AN AMENDMENT TO THE JOINT POWERS AGREEMENT
ESTABLISHING THE STANISLAUS COUNCIL OF GOVERNMENTS AND APPROVE
A SERVICE AGREEMENT BETWEEN THE COUNTY AND THE STANISLAUS
COUNCIL OF GOVERNMENTS (StanCOG)

STAFF
RECOMMEN-
DATIONS:

1. APPROVE AN AMENDMENT TO THE JOINT POWERS AGREEMENT
ESTABLISHING StanCOG.
2. APPROVE A SERVICE AGREEMENT BETWEEN THE COUNTY AND THE
StanCOG FOR CERTAIN ADMINISTRATIVE FUNCTIONS.
3. AUTHORIZE THE CHAIR OF THE BOARD TO SIGN THE AGREEMENTS.

FISCAL
IMPACT:

There will be no fiscal impact to the County. StanCOG, as an independent agency will reimburse the county for services as explained in the StanCOG/County Agreement. The StanCOG budget is independent from the County budget.

BOARD ACTION AS FOLLOWS:

No. 2001-229

On motion of Supervisor Blom _____, Seconded by Supervisor Simon _____
and approved by the following vote,

Ayes: Supervisors: Mayfield, Blom, Simon, Caruso, and Chair Paul _____

Noes: Supervisors: None _____

Excused or Absent: Supervisors: None _____

Abstaining: Supervisor: None _____

1) X Approved as recommended

2) _____ Denied

3) _____ Approved as amended

Motion:

NOTE: THIS ITEM WAS REMOVED FROM CONSENT AND PLACED ON
NON-CONSENT FOR DISCUSSION

ATTEST: CHRISTINE FERRARO TALLMAN, Clerk

By: Julie Ferraro Deputy

File No.

APPROVE AN AMENDMENT TO THE JOINT POWERS AGREEMENT ESTABLISHING THE STANISLAUS COUNCIL OF GOVERNMENTS AND APPROVE A SERVICE AGREEMENT BETWEEN THE COUNTY AND THE STANISLAUS COUNCIL OF GOVERNMENTS (StanCOG)

Page 2

DISCUSSION: The StanCOG Policy Board has taken the necessary action for StanCOG to become an independent agency. StanCOG staff currently answers to a Policy Board which consists of all five County supervisors, three Council members from Modesto, and one council member each from the remaining cities. Most councils of governments around the state are independent and it is StanCOG wish to do the same.

The proposed two documents, once approved by the Board, will complete the process of recreating StanCOG as an independent public agency. The first document, the StanCOG/County Agreement, specifies the types of services the County will continue to provide to StanCOG following independence, and the conditions and limits of those services, as well as services, which StanCOG will provide for itself. The second document, the Joint Powers Agreement, will actually create StanCOG as an independent agency. Since this document has already been approved by the nine cities, approval by the Board will constitute the final action.

StanCOG's mission To bring local government and the community together to solve regional problems, particularly in transportation may be best carried out if StanCOG is not a part of one of its member agencies. More practically, StanCOG is being increasingly challenged by the community to respond to our growing transportation needs. StanCOG needs the additional flexibility, which it will enjoy as a small independent public agency. For example, currently StanCOG employees are County employees, and must be grouped with the County workforce and classifications. Independence will allow StanCOG to develop its own position classifications and resource and staffing needs as directed by the StanCOG Policy Board, independent from the County structure.

The process of making StanCOG into an independent agency has been a long one. Significant issues, which have been addressed, include development of a StanCOG Employee Handbook. This was done in close cooperation with the existing employees, the union, and the StanCOG Executive Committee. StanCOG employees will continue to participate in most County benefit programs, and also in the StanCERA retirement program. StanCOG has already arranged for outside payroll services and their own deferred compensation program. StanCOG has long employed

APPROVE AN AMENDMENT TO THE JOINT POWERS AGREEMENT ESTABLISHING THE STANISLAUS COUNCIL OF GOVERNMENTS AND APPROVE A SERVICE AGREEMENT BETWEEN THE COUNTY AND THE STANISLAUS COUNCIL OF GOVERNMENTS (StanCOG)

Page 3

DISCUSSION

(continued):

its own legal counsel, arranged for its own insurance coverage, and developed its own state, federal, and local funding sources for budgetary purpose.

POLICY ISSUE:

The Board should decide if staff's recommendations regarding the StanCOG agreement is consistent with their priorities of multi-jurisdictional cooperation and efficiency government operations.

STAFFING

IMPACT:

The requested action will terminate all twelve authorized County staff positions at StanCOG. All twelve employees will immediately be rehired as StanCOG employees. The employees and their representatives have been consulted throughout this process and their concerns have been addressed.

**JOINT POWERS AGREEMENT ESTABLISHING THE
STANISLAUS COUNCIL OF GOVERNMENTS**

THIS AGREEMENT, made and entered into in the County of Stanislaus, State of California, this 27th day of March, 2001, is between the Cities of Ceres, Hughson, Modesto, Newman, Oakdale, Patterson, Riverbank, Turlock, and Waterford, and the County of Stanislaus, a political subdivision of the State of California, and supersedes the Agreement entered into by these parties on May 11, 1971, and the Agreement entered into by these parties on May 28, 1974.

WITNESSETH:

WHEREAS, Article 1 of Chapter 5 of Division 7 of title 1 (Sections 6500, et seq.) of the California Government Code authorizes two or more public agencies, by a joint powers agreement entered into respectively by them and authorized by their legislative or governing bodies, to exercise jointly any power or powers common to the contracting parties; and

WHEREAS, the parties herein recognize that the County of Stanislaus is experiencing continued expansion of its incorporated cities and the development of formerly undeveloped areas; and

WHEREAS, by reason of this growth, governmental problems involving incorporated and unincorporated areas jointly are arising and are expected to increase in the future; and

WHEREAS, the parties herein recognize that there exist planning problems which require area-wide consideration; and

WHEREAS, it is necessary and desirable that a single wholly independent agency be created with the capability of dealing with area-wide issues and problems; and

WHEREAS, the creation of such an agency is necessary to qualify the County and its cities and other agencies within Stanislaus County for certain Federal funds;

WHEREAS, these needs and concerns led to the creation and establishment of the Stanislaus Area Association of Governments on May 11, 1971; and

WHEREAS, these needs and concerns also led to the revision of, and subsequent approval of a Revised Joint Powers Agreement on May 28, 1974; and

WHEREAS, the establishment of the Stanislaus Area Association of Governments has:

- (a) provided a forum for the discussion and study of area-wide problems of mutual concern to the various governmental entities in Stanislaus County;
- (b) provided efficiency and economy in governmental operations through the cooperation of

member governments and the pooling of common resources;

- (c) provided for the establishment of an agency responsible for identifying, clarifying, and planning for solutions to regional problems requiring multi-jurisdictional cooperation;
- (d) provided for the establishment of an agency capable of developing regional plans and policies and performing area-wide planning duties;
- (e) facilitated cooperation among and agreement between local governmental bodies for specific purposes, interrelated developmental actions, and for the adoption of common policies with respect to issues and problems which are common to its members; and

WHEREAS, the parties at this time, desire to rescind that certain joint powers agreement of May 11, 1971, as amended by the Agreement entered into by these parties on May 28, 1974 and enter into this new Agreement in order to establish the duties and powers of a newly constituted Stanislaus Council of Governments;

NOW, THEREFORE, IT IS AGREED AS FOLLOWS:

SECTION 1

STATEMENT OF PURPOSE

1.A. **Specific Purposes.** The member cities and the county have joined together to establish The Stanislaus Council of Governments for the following purposes:

- 1.A.(1) Provide a forum for discussion and study of area-wide problems of mutual interest to the member governments.
- 1.A.(2) Insure through cooperation, coordination, and the pooling of common resources, maximum efficiency and economy in governmental operation.
- 1.A.(3) Identify, inventory, and comprehensively plan for the solution of regional problems requiring multi-governmental cooperation.
- 1.A.(4) Develop area-wide plans and policies for growth and development.
- 1.A.(5) Facilitate actions and agreements among the governmental units for specific project development.
- 1.A.(6) Conduct, and have operating authority over, other area-wide functions as the Stanislaus Council of Governments Board deems appropriate.

SECTION 2

**ESTABLISHMENT OF STANISLAUS
COUNCIL OF GOVERNMENTS**

2.A. **Separate Entity.** Upon the effective date of this Agreement, the parties hereto hereby establish a newly constituted Council of Governments, as a public entity separate and distinct from its member entities, as the agent to exercise the common powers provided for in this Agreement and to administer or otherwise execute this Agreement.

2.B. **Continuation of Duties.** The newly constituted Stanislaus Council of Governments, shall continue to function, without interruption in its duties, as:

- 2.B.(1) the Local Transportation Authority (LTA) as designated by the Stanislaus County Board of Supervisors, pursuant to the Local Transportation Authority and Improvement Act.
- 2.B.(2) the Area-wide Planning Organization (APO) as designated by the U.S. Department of Housing and Urban Development (HUD);
- 2.B.(3) the Metropolitan Planning Organization (MPO) as designated by the U.S. Department of Transportation;
- 2.B.(4) the Regional Transportation Planning Agency (RTPA) as designated by the Secretary of Business and Transportation Agency of the State of California;
- 2.B.(5) the regional planning representative, as designated by the parties hereto, for the purpose of acting upon any appropriate proposals which may be presented to it for consideration and for transmission of proposed recommendations to Federal and State agencies.
- 2.B.(6) the Congestion Management Agency (CMA) as designated by the Stanislaus County Board of Supervisors, pursuant to California Government Code, Chapter 2.6.
- 2.B.(7) The Abandoned Vehicle Authority (AVA) as designated by the Stanislaus County Board of Supervisors, pursuant to California Vehicle Code, Section 22710(a).

SECTION 3

COMPOSITION

3.A. **Member Agencies.** The Council shall be composed of the County of Stanislaus and the

Cities of Ceres, Hughson, Modesto, Newman, Oakdale, Patterson, Riverbank, Turlock, and Waterford, together hereinafter referred to as the member agencies.

SECTION 4

BOARD AND VOTING

4.A. **Board.** The Stanislaus Council of Governments shall be governed by a board, the members of which shall be appointed by the member agencies.

4.B. **Voting.** Voting at meetings of the Council shall be as follows:

4.B.(1) The County of Stanislaus shall have five (5) votes.

4.B.(2) The City of Modesto shall have three (3) votes.

4.B.(3) All other members of the Council shall have one (1) vote each.

4.B.(4) Each representative of a member, or in the absence of the representative, his or her alternate present shall be entitled to cast a single vote. A representative or his or her alternate must be present to vote.

4.C. **Representatives.** Each member agency shall designate, from among the elected officials of the member, a representative or representatives, equal to the number of votes of that member agency.

4.D. **Alternate Representatives.** Each member agency shall designate at least one alternate representative for each vote of the member. Said alternates need not be elected officials of the member, however, the County Chief Executive Officer and the Modesto City Manager are not eligible to be designated as alternates. Members may designate more than one alternate for each representative, as deemed prudent by that member. To be eligible to cast the vote of the member, alternates must be designated, and notice of said designation given to the Executive Director, at least twenty-four (24) hours prior to the first meeting at which that alternate is to attend on behalf of the member's designated Representative.

SECTION 5

TERM OF OFFICE

5.A. **Term of Office.** The term of office of each representative and alternate representative, should the alternate be an elected official, shall correspond with his or her term of office on the legislative body he or she represents. If a vacancy occurs, it shall be filled by a new appointment made by the appropriate member agency.

SECTION 6

QUORUM AND MAJORITY REQUIREMENTS

6.A. **Quorum and Majority Requirements.** The presence of at least one (1) representative, or in the absence of a representative his or her alternate, from a majority of the member agencies, shall constitute a quorum. A quorum shall be necessary for the purpose of conducting official business. A two-thirds majority of those present shall be required to approve all expenditures. For all other business, a majority vote of those present shall be sufficient. A roll call vote shall be conducted at the request of any representative.

SECTION 7

PUBLIC MEETINGS

7.A. **Meeting Time and Place.** The Stanislaus Council of Governments shall establish a time and place for regular Policy Board meetings. All meetings shall be conducted in accordance with the Ralph M. Brown Act, California Government Code, section 54950 et seq.

SECTION 8

EXECUTIVE COMMITTEE

8.A. **Executive Committee.** An Executive Committee shall be constituted from among the representatives of the members of the Council. The Executive Committee shall consist of: Two of the representatives from the County Board of Supervisors, to be appointed by and serve at the pleasure of the County Board of Supervisors; One of the representatives from the City of Modesto, to be appointed by and to serve at the pleasure of the Modesto City Council and; Two representatives from among the other cities, said representatives to be chosen by a caucus of the Policy Board members representing the cities other than Modesto, and serve at the pleasure of, these other cities. The Chairperson and Vice-Chairperson of the Council shall be members of the Executive Committee and shall serve on it as the representatives of their respective political entities.

8.B. **Powers of Executive Committee.** The Executive Committee shall have such powers as are not inconsistent with this Agreement as are delegated to it by the By-laws.

SECTION 9

TECHNICAL ADVISORY COMMITTEE

9.A. **Technical Advisory Committee.** The Council shall establish and maintain a Technical Advisory Committee. The Technical Advisory Committee shall be created and operated in accordance with the Bylaws of the Stanislaus Council of Governments in accordance with Bylaws of the Technical Advisory Committee as adopted by two-thirds (2/3) of the members of that committee, subject to the majority approval of the Stanislaus Council of Governments Policy Board members present and voting. Changes or amendments to said Bylaws shall be approved by two-thirds (2/3) of the members of that committee

present and voting, and shall be subject to the majority approval of the Stanislaus Council of Governments Policy Board members present and voting.

SECTION 10

CITIZENS ADVISORY COMMITTEE

10.A. **Citizens Advisory Committee.** The Council shall establish and maintain a Citizens Advisory Committee. Said Committee shall be created and operated in accordance with the Bylaws of the Stanislaus Council of Governments Citizens Advisory Committee attached hereto as Appendix I. Changes or amendments to said Bylaws shall be approved by two-thirds (2/3) of the members of that committee, and shall be subject to the majority approval of the Stanislaus Council of Governments Policy Board members present and voting.

SECTION 11

SOCIAL SERVICES TRANSPORTATION ADVISORY COUNCIL

11.A. **Social Services Transportation Advisory Council** The shall establish and maintain a Social Services Transportation Advisory Council. Said Council shall be created and operated in accordance with the Bylaws of the Stanislaus Council of Governments Social Services Transportation Advisory Council attached hereto as Appendix II. Changes or amendments to said Bylaws shall be approved by two-thirds (2/3) of the members of that Council, and shall be subject to the majority approval of the Stanislaus Council of Governments Policy Board members present and voting.

SECTION 12

POWERS AND FUNCTIONS

12.A. **Powers and Functions.** The Stanislaus Council of Governments shall have the common power of the Parties hereto to plan, establish and administer an independent area planning organization and in the exercise of that power the Stanislaus Council of Governments is authorized in its own name to:

- 12.A.(1) Employ an Executive Director as the chief administrative officer of St
- 12.A.(2) Employ agents and employees and contract for professional services.
- 12.A.(3) Make and enter into contracts.
- 12.A.(4) Acquire, hold and convey real and personal property.
- 12.A.(5) Incur debts, obligations and liabilities.

- 12.A.(6) Accept contributions, grants or loans from any public or private agency or individual, or the United States, the State of California or any department, instrumentality, or agency thereof, for the purpose of financing its activities.
- 12.A.(7) Invest money that is not needed for immediate necessities, in the same manner and upon the same conditions as other local entities in accordance with Section 53601 of the California Government Code.
- 12.A.(8) Have appointed members and ex-officio members of the Stanislaus Council of Governments serve without compensation from the Stanislaus Council of Governments except that members of the Stanislaus Council of Governments may be reimbursed for all reasonable expenses and costs relating to attendance at Stanislaus Council of Governments meetings or other Stanislaus Council of Governments business.
- 12.A.(9) Do all other acts reasonable and necessary to carry out the purposes of this Agreement.
- 12.A.(10) Sue and be sued, in its own name only, but not in the name or stead of any Party.
- 12.A.(11) Exercise any and all other powers as may be provided for in California Government Code Section 6547.
- 12.A.(12) The powers to be exercised by the Stanislaus Council of Governments are subject to such restrictions upon the manner of exercising such powers as are imposed upon the County in the exercise of similar powers. The Council shall be held strictly accountable for all funds received, held and disbursed by it.
- 12.A.(13) The Stanislaus Council of Governments is hereby designated by the parties to this Agreement as the regional review agency for the purposes of acting on any appropriate proposals which may be presented to it for consideration, and as the sole regional planning representative for transmission of proposed recommendations to the U.S. Department of Housing and Urban Development or such other agency of the Federal Government or State Government as may be designated to receive such recommendations from the Council, and as the area-wide planning organization (APO) for the County of Stanislaus as such APO is defined in pertinent State and/or Federal directives and regulations.
- 12.A.(14) File, within 30 days of the effective date of this Agreement, a Notice of the Agreement with the office of the California Secretary of State, pursuant to California Government Code, section 6503.5

SECTION 13

BYLAWS

13.A. **Bylaws.** The By-laws of the Stanislaus Council of Governments shall be those annexed to this Agreement marked "Exhibit A" and incorporated herein by reference. Amendments to all or a portion of the Bylaws may be made in the manner prescribed in the Bylaws.

SECTION 14

EXECUTIVE DIRECTOR

14.A. **Executive Director.** The Executive Director shall be selected by, and shall serve at the pleasure of and upon the terms prescribed by the Stanislaus Council of Governments Board. The powers and duties of the Executive Director are:

- 14.A.(1) To serve as the chief administrative officer of Stanislaus Council of Governments and to be responsible to the Stanislaus Council of Governments Board for the proper administration of all Stanislaus Council of Governments affairs.
- 14.A.(2) To appoint, supervise, suspend, discipline or remove Stanislaus Council of Governments employees subject to those policies and procedures, from time to time, adopted by the Stanislaus Council of Governments Board.
- 14.A.(3) To supervise and direct the preparation of the annual budget for the Stanislaus Council of Governments and be responsible for its administration after adoption by the Stanislaus Council of Governments Board.
- 14.A.(4) To formulate and present to the Stanislaus Council of Governments Board plans for Stanislaus Council of Governments activities and the means to finance them.
- 14.A.(5) To supervise the planning and implementation of all Stanislaus Council of Governments activities.
- 14.A.(6) To attend all meetings of the Stanislaus Council of Governments Board and act as the secretary to the Stanislaus Council of Governments Board.
- 14.A.(7) To prepare and submit to the Stanislaus Council of Governments periodic financial reports and, as soon as practicable after the end of each fiscal year, an annual report of the activities of the Stanislaus Council of Governments for the preceding year.

- 14.A.(8) To have custody and charge of all Stanislaus Council of Governments property other than money and securities.
- 14.A.(9) To transmit to the Executive Director's successor all books and records of the Stanislaus Council of Governments in his or her possession.
- 14.A.(10) To perform such other duties as the Stanislaus Council of Governments Board may require in carrying out the policies and directives of the Stanislaus Council of Governments Board.

SECTION 15

TREASURER

15.A. **Treasurer.** The Treasurer of the County shall be the Treasurer of the Stanislaus Council of Governments. The Treasurer shall:

- 15.A.(1) Receive and receipt all money of the Stanislaus Council of Governments and place it in the treasury of the County to the credit of the Stanislaus Council of Governments.
- 15.A.(2) Be responsible upon the Treasurer's official bond for the safekeeping and disbursement of all Stanislaus Council of Governments money held by the Treasurer.
- 15.A.(3) Pay any sums due from the Stanislaus Council of Governments, from the Stanislaus Council of Governments funds held by the Treasurer or any portion thereof, upon warrants of the Auditor-Controller designated herein.
- 15.A.(4) Verify and report in writing as soon as possible after the first day of July, October, January, and April of each year to the Stanislaus Council of Governments the amounts of monies the Treasurer holds for the Stanislaus, Council of Governments the amount of receipts since the Treasurer's last report, and any interest accrued to those funds.

15.B. **Reimbursement.** The Stanislaus Council of Governments shall reimburse the County for the cost of services provided by the Treasurer to the Council on an at-cost basis.

SECTION 16

AUDITOR-CONTROLLER

16.A. **Auditor-Controller.** The Auditor-Controller of the County shall be the Controller for the Stanislaus Council of Governments. The Auditor-Controller shall:

16.A.(1) Draw warrants to pay demands against the Stanislaus Area Council of Governments when the demands have been approved by the Stanislaus Council of Governments Board and/or the Stanislaus Council of Governments Executive Director. The Controller shall be responsible on the Controller's official bond for the Controller's approval of disbursements of the Stanislaus Council of Governments money.

16.A.(2) Keep and maintain records and books of account on the basis of generally accepted accounting practices. The books of account shall include records of assets, liabilities, and contributions made by each Party to this Agreement.

16.A.(3) Make available all the financial records of the Stanislaus Council of Governments to a certified public accountant or public accountant contracted by the Stanislaus Council of Governments to make an annual audit of the accounts and records of the Stanislaus Council of Governments. The minimum requirements of the audit shall be those prescribed by the State Controller for special districts under Section 26909 of the California Government Code and shall conform to generally accepted auditing standards.

16.B. **Reimbursement.** The Stanislaus Council of Governments shall reimburse the County for the cost of services provided by the Controller to the Stanislaus Council of Governments on an at-cost basis.

16.C. **Approvals.** The Executive Director of the Stanislaus Council of Governments and the Chairman of the Stanislaus Council of Governments shall together have the power to approve to the auditor demands against the Stanislaus Council of Governments. The Vice-Chairman of the Stanislaus Council of Governments shall be substituted in the absence or vacancy of either of the above officials.

SECTION 17

FINANCING

17.A. **Allocation of Financing.** Each member shall contribute to the financial support of the Council. Each city's share of financial support shall be determined by the percentage its population has to the County as a whole. The County's share of financial support shall be determined by the percentage the population of the unincorporated areas of the County have to the County as a whole. Population is to be determined by the latest United States Decennial Census or later California State Department of Finance figures.

17.B. **Annual Dues.** The Policy Board may provide for annual dues to be paid by each member agency.

17.C. **Fiscal Year.** The fiscal year of the Council shall commence on July 1 of each year and

shall terminate on June 30 of the following year. Each member shall deposit its share of financial support with the Treasurer of the Council no later than August 1 of each year.

17.D. **Support from Member Agencies.** A member agency in the exercise of the reasonable discretion of its governing body, may provide support for the Stanislaus Council of Governments, its staff, and its professional consultants, including providing quarters, janitorial services and maintenance, supplies, printing and duplication, postage, telephone services, transportation services, and the professional and technical assistance as may be agreed upon from time to time by the Stanislaus Council of Governments and the respective member agencies. All assistance shall be provided on an at-cost basis.

17.E. **Other Support and Fees.** The Stanislaus Council of Governments shall apply for available state federal, regional, and local support funds, and shall make new and additional applications from time to time as appropriate. If deemed necessary, the Stanislaus Council of Governments Board may also establish and collect filing and processing fees from non-members in connection with matters to be considered by it.

SECTION 18

BOND REQUIREMENTS

18.A. **Bond Requirement.** The Executive Director and such other persons employed by the Stanislaus Council of Governments as may be designated by the Stanislaus Council of Governments Board, shall file with the Stanislaus Council of Governments Board an official fidelity bond in a penal sum determined by the Stanislaus Council of Governments Board as security for the safekeeping of the Stanislaus Council of Governments's property entrusted to the employee. However, if the Executive Director or other such persons designated are already bonded by another agency, no additional bonding shall be required by this section. Premiums for any bonds required under this section shall be paid by the Stanislaus Council of Governments.

SECTION 19

ASSIGNABILITY

19.A. **Assignability.** With the approval of, and upon the terms agreed upon by, governing body of each party to this Agreement, all or any of the rights and property subject to this Agreement may be assigned to further the purpose of this Agreement. Provided, however, no right or property of Stanislaus Council of Governments shall be assigned without compliance with all conditions imposed by any state or federal entity from whom Stanislaus Council of Governments has received financial assistance.

SECTION 20

WITHDRAWAL OF A PARTY

20.A. **Notice.** A party to this Agreement may, at any time, withdraw from the Stanislaus Council of Governments, following 90 days notice to the Stanislaus Council of Governments and all other members of Stanislaus Council of Governments, by resolution of intent to withdraw adopted by the governing board of the withdrawing party.

20.B. **Effect of Withdrawal.** Upon the effective date of such withdrawal such member shall cease to be bound by this Agreement, but shall continue to provide financial support through the approved percentage of planning funds provided to the Stanislaus Council of Governments, as Transportation Planning Agency under the provisions of Section 99233.2 of the Transportation Development Act. Stanislaus Council of Governments assets representing any accumulated capital contribution of the withdrawing party shall remain subject to Stanislaus Council of Governments control, depreciation and use without compensation to the withdrawing party until termination of this Agreement and distribution of Stanislaus Council of Governments assets.

20.C. **Resumption of Membership.** Any member agency which has withdrawn from the Council in accordance with the provisions of this Section 20 of this Agreement may resume its membership upon thirty (30) days' written notice to the then members, which notice may be waived by a majority vote of the Council.

SECTION 21

TERMINATION AND DISSOLUTION

21.A. **No Specific Term.** This Agreement shall continue in force without specific term.

21.B. **Termination.** If, at any time, those cities and County which are members of Stanislaus Council of Governments contain less than 55% of the population residing within the area of Stanislaus County, based upon the latest available census information, and there are less than a majority of local governments remaining as members of Stanislaus Council of Governments shall be deemed disestablished and this Agreement shall cease to be operative except for the purpose of payment of any obligations theretofore incurred.

21.C. **Distribution of Assets.** If this Agreement is terminated, all real and personal property owned by Stanislaus Council of Governments shall be distributed to the Federal, State, or local funding agency or party to this Agreement that supplied the property or whose funding provided for the acquisition of the property unless other distribution is provided by law. Should the origin of any real or personal property be undeterminable, that property shall be disbursed to the parties to this Agreement in proportion to the size of the jurisdiction as delineated in the latest California Department of Finance estimate of population.

21.D. **Surplus Property.** The surplus property of the Council shall be disposed of by dividing it among the members of the Council. The proportion to be returned to each member is to be the same proportion as the member contributed to the most recent budget of the Association.

21.E. **Continues in Effect until Distribution.** This Agreement shall not terminate until all property has been distributed in accordance with this provision.

SECTION 22

RETURN OF SURPLUS FUNDS

22.A. **Return of Surplus Funds.** Upon termination of this Agreement, any surplus money on hand shall be returned, pro rata, to the Federal, State, or local agency or the party to this Agreement that provided the funds.

SECTION 23

ADDITIONAL MEMBERS

23.A. **Additional Members.** In addition to the incorporated cities identified in this Agreement, any city within Stanislaus County which may hereafter be incorporated and which desires to participate in the activities of Stanislaus Council of Governments may do so by executing this Agreement without the prior approval or ratification of the named parties to this Agreement and shall thereafter be a party to this Agreement and be bound by all terms and conditions of this Agreement as of the date it executes this Agreement.

SECTION 24

SUCCESSORS AND ASSIGNS

24.A. **Successors and Assigns.** This Agreement shall be binding upon and shall inure to the benefit of any successors to or assigns of the parties.

SECTION 25

SEVERABILITY

24.B. **Severability.** Should any part, term, portion, or provision of this Agreement be finally decided to be in conflict with any law of United States or the State of California, or otherwise be unenforceable or ineffectual, the validity of the remaining parts, terms, portions, or provisions shall be deemed severable and shall not be affected thereby, provided such remaining portions or provisions can be construed in substance to constitute the Agreement which the member agencies intended to enter into in the first instance.

SECTION 26

EFFECTIVE DATE OF AGREEMENT


24.C. **Effective Date.** This Agreement shall become effective upon ratification by resolution of the Stanislaus County Board of Supervisors and each of the city councils of the Cities of Ceres, Hughson, Modesto, Newman, Oakdale, Patterson, Riverbank, Turlock, and Waterford. From and after said date the agreements made establishing the Stanislaus Area Association of Governments dated May 11, 1971 and May 20, 1974 shall be superseded, replaced and terminated by this Agreement and shall be of no further force and effect.

26.B. **Amendments.** After this Agreement becomes effective, it may be amended upon ratification by resolution of 75% of the member agencies representing 75% of the population of the County of Stanislaus as determined by the most recent Decennial Census. For this purpose each incorporated city shall represent those people residing within its city limits and the Stanislaus County Board of Supervisors shall represent those people who reside in the unincorporated areas of the County.

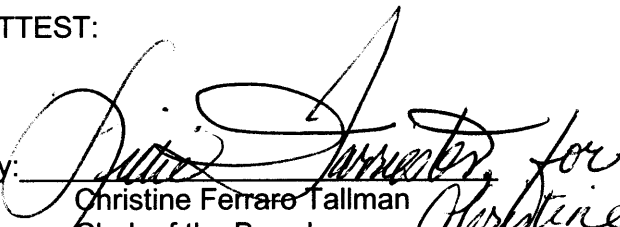
IN WITNESS WHEREOF, the Parties hereto have executed this Agreement on the dates shown in the respective signature blocks.

UNSIGNED - NOTE OFFICES REQUESTED TO SIGN DOCUMENT

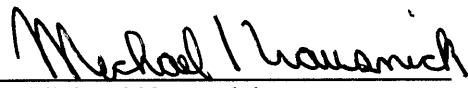
**STANISLAUS COUNTY
BOARD OF SUPERVISORS**

By: 
Pat Paul
Chair, Stanislaus County
Board of Supervisors

ATTEST:

By:  for
Christine Ferraro Tallman
Clerk of the Board
Stanislaus County *Christine as
a deputy clerk*

Approved as to Legal Form:

By: 
Michael Krausnick
Stanislaus County
County Counsel

IN WITNESS WHEREOF, the City of Ceres, a municipal corporation, has authorized the execution of this agreement by its Mayor, and attestation by its City Clerk, under authority of Resolution No 2001-60, adopted by the Council of the City of Ceres on the 23rd day of April 2001; the City of Hughson, a municipal corporation, has authorized the execution of this agreement by its Mayor, and attestation by its City Clerk, under authority of Resolution No 01-21, adopted by the Council of the City of Hughson on the 23rd day of April 2001; the City of Modesto, a municipal corporation, has authorized the execution of this agreement by its Mayor, and attestation by its City Clerk, under authority of Resolution No 2001-248, adopted by the Council of the City of Modesto on the 5th day of June 2001; the City of Newman, a municipal corporation, has authorized the execution of this agreement by its Mayor, and attestation by its City Clerk, under authority of Resolution No 2001-12, adopted by the Council of the City of Newman on the 10th day of April 2001; the City of Oakdale, a municipal corporation, has authorized the execution of this agreement by its Mayor, and attestation by its City Clerk, under authority of Resolution No 2001-44 adopted by the Council of the City of Oakdale on the 16th day of April 2001; the City of Patterson, a municipal corporation, has authorized the execution of this agreement by its Mayor, and attestation by its City Clerk, under authority of Resolution No 2001-37 adopted by the Council of the City of Patterson on the 17th day of April 2001; the City of Riverbank, a municipal corporation, has authorized the execution of this agreement by its Mayor, and attestation by its City Clerk, under authority of Resolution No 2001-43, adopted by the Council of the City of Riverbank on the 23rd day of April 2001; the City of Turlock, a municipal corporation, has authorized the execution of this agreement by its Mayor, and attestation by its City Clerk, under authority of Resolution No 2001-74, adopted by the Council of the City of Turlock on the 24th day of April 2001; the City of Waterford, a municipal corporation, has authorized the execution of this agreement by its Mayor, and attestation by its City Clerk, under authority of Resolution No 2001-23 adopted by the Council of the City of Waterford on the 19th day of April 2001, and the County of Stanislaus, a body corporate and politic and a political subdivision of the State of California, has authorized the execution of the agreement by its Chairperson of the Board of Supervisors, and attestation by its County Clerk and ex officio Clerk of the Board of Supervisors on the 27th day of March 2001 by Board Action 2001-229.

THIS IS AN UNSIGNED DOCUMENT. THE ORIGINAL SIGNATURES ARE ON FILE AT THE STANISLAUS COUNCIL OF GOVERNMENTS OFFICE.

RESOLUTION NO. 98-88

A RESOLUTION APPROVING, ENDORSING AND RATIFYING
THE REVISED JOINT POWERS AGREEMENT ESTABLISHING
THE STANISLAUS AREA ASSOCIATION OF GOVERNMENTS

THE CITY COUNCIL
City of Ceres, California

WHEREAS, the City of Ceres is a member agency of SAAG; and

WHEREAS, the latest revision of the SAAG JPA was approved in May 1974; and

WHEREAS, in the 24 years since the last revision of the SAAG JPA there have been significant changes in the rules and regulations governing JPAs, and in the relationships between SAAG and its member agencies; and

WHEREAS, the City of Ceres wishes to enter into a Revised JPA in order to establish the duties and powers of a newly constituted SAAG and to ensure effective operation, cooperation and dialog among the SAAG member agencies; and

WHEREAS, the Revised JPA has been carefully reviewed and evaluated by SAAG staff and various SAAG committees, as well as City and County staffs; and

WHEREAS, it is the consensus of these groups that the Revised JPA clarifies ambiguities in the 1974 JPA and establishes a more participatory format; and

WHEREAS, the SAAG Policy Board has recommended approval of the Revised JPA; and

WHEREAS, pursuant to Section 26 of the Stanislaus Area Association of Governments ("SAAG") Revised Joint Powers Agreement ("JPA") the Revised JPA shall become effective upon the ratification by resolution of each of the member agencies of SAAG.


NOW, THEREFORE, BE IT RESOLVED that the City of Ceres approves, endorses and ratifies the Revised Joint Powers Agreement establishing the Stanislaus Area Association of Governments, attached hereto and incorporated herein by reference, and authorizes the Mayor to execute the Revised SAAG JPA on behalf of the City of Ceres.

PASSED AND ADOPTED this 14th day of September, 1998, by the following vote:

AYES: Arrollo, Bradley, Constantinou, Risen and Mayor Ingwerson

NOES: None

ABSENT: None


ERIC E. INGWERSON, Mayor

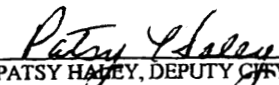
ATTEST:


BRENDA SCUDDER HERBERT, City Clerk

SEAL IMPRESSED

I, PATSY HALEY, DEPUTY CITY CLERK OF THE CITY OF CERES, DO HEREBY CERTIFY THE FOREGOING IS A TRUE AND CORRECT COPY OF RESOLUTION NO. 98-88 PASSED AND ADOPTED AT A REGULAR MEETING OF THE CERES CITY COUNCIL HELD ON SEPTEMBER 14, 1998, AS THE SAME APPEARS OF RECORD IN THE OFFICE OF THE CITY CLERK.

DATE: SEPTEMBER 15, 1998


PATSY HALEY, DEPUTY CITY CLERK
CITY OF CERES, CA

RESOLUTION NO. 2001-60

A RESOLUTION APPROVING, ENDORSING AND
RATIFYING THE REVISED JOINT POWERS AGREEMENT
ESTABLISHING THE STANISLAUS COUNCIL OF GOVERNMENTS

The City Council
CITY OF CERES, CALIFORNIA

WHEREAS, on September 14, 1998, the City of Ceres approved, endorsed and ratified the Joint Powers Agreement establishing the Stanislaus Area Association of Governments; and

WHEREAS, subsequent to that action, the Stanislaus Area Association of Governments has decided to change its name to the Stanislaus Council of Governments (StanCOG); and

WHEREAS, this change requires that the Joint Powers Agreement be revised.


NOW, THEREFORE, BE IT RESOLVED that the City of Ceres approves, endorses and ratifies the Joint Powers Agreement establishing the Stanislaus Council of Governments, attached hereto and incorporated herein by reference, and authorizes the Mayor and City Clerk to execute that agreement on behalf of the City of Ceres.

PASSED AND ADOPTED this 23rd day of April, 2001 by the following vote:

AYES: Constantinou, Ingwerson, Moore, Risen and Mayor Arrollo

NOES: None

ABSENT: None



LOUIE ARROLLO, Mayor

ATTEST:

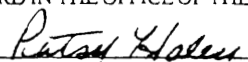


BRENDA SCUDDER HERBERT, City Clerk

SEAL IMPRESSED

I, PATSY HALEY, DEPUTY CITY CLERK OF THE CITY OF CERES, DO HEREBY CERTIFY THE FOREGOING IS A TRUE AND CORRECT COPY OF RESOLUTION NO. 2001-60 PASSED AND ADOPTED AT A REGULAR MEETING OF THE CERES CITY COUNCIL HELD ON APRIL 23, 2001. AS THE SAME APPEARS OF RECORD IN THE OFFICE OF THE CITY CLERK.

DATE: APRIL 24, 2001



PATSY HALEY, DEPUTY CITY CLERK
CITY OF CERES, CA

STANISLAUS COUNTY BOARD OF SUPERVISORS

By: _____
[Type Name]
[Type Title]

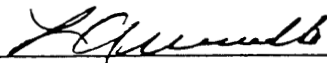
ATTEST:

By: _____
[Type Name]
Clerk of County Board of Supervisors


Approved as to Legal Form:

By: _____
[Type Name]
County Counsel

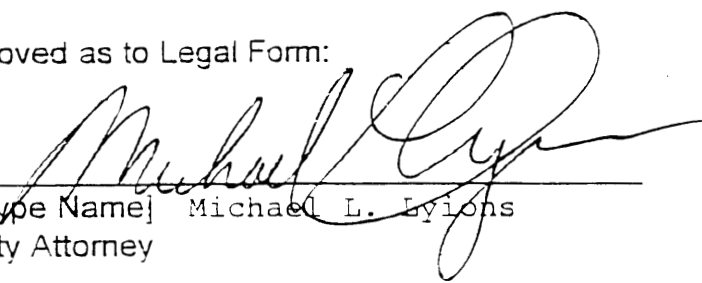
CITY OF CERES

By: 
[Type Name] Louie Arrollo
Mayor

ATTEST:

By: 
[Type Name] Brenda Scudder Herbert
City Clerk
SEAL IMPRESSED

Approved as to Legal Form:

By: 
[Type Name] Michael L. Lyons
City Attorney

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RESOLUTION NO. 01-21

RESOLUTION OF THE CITY OF COUNCIL OF THE CITY OF HUGHSON
ENDORISING AND RATIFYING THE REVISED JOINT POWERS
AGREEMENT ESTABLISHING THE STANISLAUS AREA OF
ASSOCIATION OF GOVERNMENTS

WHEREAS, on August 24, 1998, the City of Hughson approved,
endorsed, and ratified the Joint Powers Agreement establishing the Stanislaus
Area Association of Governments; and,

WHEREAS, subsequent to that action, the Stanislaus Area Association of
Governments has decided to change its name to the Stanislaus Council of
Governments; and,

WHEREAS, this change requires that the Joint Powers Agreement be
revised.

NOW, THEREFORE, BE IT RESOLVED that the City of Hughson approves,
endorses, and ratifies the Joint Powers Agreement establishing the Stanislaus
Council of Governments, attached hereto and incorporated herein by reference,
and authorizes the Mayor and City Clerk to execute that Agreement on behalf of
the City of Hughson

PASSED AND ADOPTED by the Hughson City Council at a regular meeting
thereof, held on 23rd day April, 2001, by the following vote:

AYES: Council Members PROUTY, MADSEN, SWIER, MOORE and
Mayor CONNER

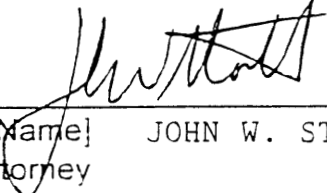
CITY OF HUGHSON

By: 
[Type Name] BART L. CONNER
Mayor

ATTEST:

By: 
[Type Name] MARY JANE CANTRELL, CMC
City Clerk

Approved as to Legal Form:

By: 
[Type Name] JOHN W. STOVALL
City Attorney

CITY OF MODESTO

By: _____
[Type Name]
Mayor

ATTEST:

By: _____
[Type Name]
City Clerk

Approved as to Legal Form:

By: _____
[Type Name]
City Attorney

StanCOG
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JUN - 8 2001

MODESTO CITY COUNCIL
RESOLUTION NO. 2001-248

A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A JOINT POWERS AGREEMENT FORMING THE STANISLAUS COUNCIL OF GOVERNMENTS.

WHEREAS, on October 6, 1998, the Modesto City Council adopted a revised Joint Powers Agreement establishing the Stanislaus Area Association of Governments (RES. No. 98-527); and

WHEREAS, subsequent to that action, the Stanislaus Area Association of Governments has elected to change its name to the Stanislaus Council of Governments; and

WHEREAS, this change requires that the Joint Powers Agreement be revised to reflect the Organization's new name,

NOW, THEREFORE, BE IT RESOLVED that the City of Modesto approves, endorses, and ratifies the Joint Powers Agreement establishing the Stanislaus Council of Governments, attached hereto and incorporated herein by reference.

BE IT FURTHER RESOLVED that the City Council authorizes the City Manager to execute the Joint Powers Agreement with the Stanislaus Council of Governments on behalf of the City of Modesto.

CITY OF HUGHSON

By: _____
[Type Name]
Mayor

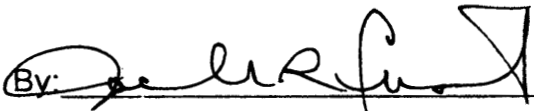
ATTEST:

By: _____
[Type Name]
City Clerk

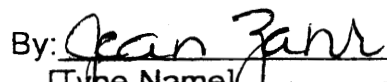
Approved as to Legal Form:

By: _____
[Type Name]
City Attorney


CITY OF MODESTO

By:  _____
JACK R. CRIST, City Manager

ATTEST:

By:  _____
[Type Name] JEAN ZAHR
City Clerk 6/5/01 Res. 2001-248

Approved as to Legal Form:

By:  _____
[Type Name] ALISON A. BARRATT-GREEN
City Attorney

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HUGHSON CITY COUNCIL

RESOLUTION NO. 98-21

A RESOLUTION OF THE CITY COUNCIL OF APPROVING, ENDORSING
AND RATIFYING THE REVISED JOINT POWERS AGREEMENT
ESTABLISHING THE STANISLAUS AREA ASSOCIATION OF
GOVERNMENTS.

WHEREAS, City of Hughson is a member agency of SAGG; and,

WHEREAS, the latest revision of the SAAG JPA was approved in May
1974; and,

WHEREAS, in the 24 years since the last revision of the SAGG JPA there
have been significant changes in the rules and regulations governing JPAs, and
in the relationships between SAAG and its member agencies; and,

WHEREAS, City of Hughson wishes to enter into a Revised JPA in order
to establish the duties and powers of a newly constituted SAAG and to ensure
effective operation, cooperation and dialog among the SAAG member agencies;
and,

WHEREAS, the Revised JPA has been carefully reviewed and evaluated
by SAAG staff and various SAAG committees, as well as City and County
staffs; and,

WHEREAS, it is the consensus of these groups that the Revised JPA
clarifies ambiguities in the 1974 JPA and establishes a more participatory
format; and,

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WHEREAS, the SAAG Policy Board has recommended approval of the Revised JPA; and,

WHEREAS, Pursuant to Section 26 of the Stanislaus Area Association of Governments ("SAAG") Revised Joint Powers Agreement ("JPA") the Revised JPA shall become effective upon the ratification by resolution of each of the member agencies of SAGG;

NOW THEREFORE, BE IT RESOLVED that the Hughson City Council approves, endorses and ratifies the Revised Joint Powers Agreement establishing the Stanislaus Area Association of Governments, attached hereto and incorporated herein by reference, and authorizes the Mayor to execute the Revised SAAG JPA on behalf of the City of Hughson.

PASSED AND ADOPTED by the Hughson City Council at a regular meeting thereof held on August 24, 1998, by the following vote:

AYES: Council Members KING, LEMA, PROUTY, VAUGHN and Mayor CROWDER

NOES: None

ABSENT: None

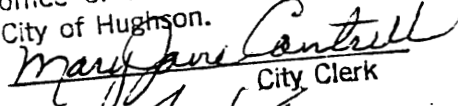
ABSTENTIONS: None



THOMAS E. CROWDER, Mayor

ATTEST:

MARY JANE CANTRELL, CMC
City Clerk

CERTIFICATION
I hereby certify the foregoing is a true and correct copy of the original document on file in the office of the City Clerk of the City of Hughson.

City Clerk
Dated: 8/31/98

MODESTO CITY COUNCIL
RESOLUTION NO. 98-527

A RESOLUTION APPROVING, ENDORSING AND
RATIFYING THE REVISED JOINT POWERS AGREEMENT
ESTABLISHING THE STANISLAUS AREA ASSOCIATION
OF GOVERNMENTS.

WHEREAS, the City of Modesto is a member agency of the Stanislaus Area Association of Governments ("SAAG"), and

WHEREAS, the latest revision of the SAAG Joint Powers Agreement ("JPA") was approved in Mayo of 1974, and

WHEREAS, in the 24 years since the last revision of the SAAG JPA there have been significant changes in the rules and regulations governing JPAs, and in the relationships between SAAG and its member agencies, and

WHEREAS, the City of Modesto wishes to enter into a Revised JPA in order to establish the duties and powers of a newly constituted SAAG and to ensure effective operation, cooperation and dialog among the SAAG member agencies, and

WHEREAS, the Revised JPA has been carefully reviewed and evaluated by SAAG staff and various SAAG committees, as well as City and County staffs, and

WHEREAS, it is the consensus of these groups that the Revised JPA clarifies ambiguities in the 1974 JPA and establishes a more participatory format, and

WHEREAS, the SAAG Policy Board has recommended approval of the Revised JPA, and

WHEREAS, pursuant to Section 26 of the Stanislaus Area Association of

Governments Revised Joint Powers Agreement, the Revised JPA shall become effective upon the ratification by resolution of each of the member agencies of SAAG, said JPA is between the Cities of Ceres, Hughson, Modesto, Newman, Oakdale, Patterson, Riverbank, Turlock and Waterford, and the County of Stanislaus,

NOW, THEREFORE, BE IT RESOLVED that the City of Modesto approves, endorses and ratifies the Revised Joint Powers Agreement between the Cities of Ceres, Hughson, Modesto, Newman, Oakdale, Patterson, Riverbank, Turlock and Waterford, and the County of Stanislaus, establishing the Stanislaus Area Association of Governments, a copy of which is on file in the office of the City Clerk.

BE IT FURTHER RESOLVED that the City Manager is hereby authorized to execute the Revised SAAG JPA on behalf of the City of Modesto.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 6th day of October, 1998, by Councilmember Friedman, who moved its adoption, which motion being duly seconded by Councilmember Dobbs, was upon roll call carried and the resolution adopted by the following vote:

A YES: Councilmembers: Conrad, Dobbs, Fisher, Friedman, Serpa, Mayor Lang

NOES: Councilmembers: None

ABSENT: Councilmembers: Smith

ATTEST: Jean Zahr
JEAN ZAHR, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Michael D. Milich
MICHAEL D. MILICH, City Attorney

City Manager's Report
September 29, 1998: Council Meeting

Item #: 8

Subject: **Adopt Resolution No. _____ Approving the Revised Joint Powers Agreement for the Stanislaus Area Association of Governments**

Discussion:

For the past two years the Stanislaus Area Association of Governments (SAAG) has been attempting to rewrite the SAAG Joint Powers Agreement in order to reflect the goals of the Association. On May 20, 1998 the SAAG policy board approved the revised agreement and requested it be sent to all cities and the county for approval. It is necessary that all cities and the county adopt this agreement in order for it to be approved.

Attached are copies of Mr. Dickson's letter requesting adoption, the agreement and the proposed resolution. Council Member Marquez is the City's representative on the SAAG policy board and has participated in the rewrite process. The agreement has been reviewed and approved by our City Attorney. Gary Dickson, SAAG Executive Director, will be present to discuss the revised Agreement and answer questions.

Cost:

There is not additional cost to the City as a result of adoption of this Agreement.

Budget Impact:

None

Recommendation:

Adopt Resolution No. _____ Approving the Revised Joint Powers Agreement for the Stanislaus Area Association of Governments


Department Head Signature

Date


City Manager's Signature

9/21/98
Date

**NEWMAN CITY COUNCIL/REDEVELOPMENT AGENCY
PLANNING COMMISSION
JOINT REGULAR MEETING
SEPTEMBER 29, 1998
CITY COUNCIL CHAMBERS
1200 MAIN STREET
7:00 P.M.**

1. Call To Order.
2. Pledge Of Allegiance.
3. Invocation.
4. Roll Call.
5. Communications
 - a. City Attorney
 - b. City Engineer
 - c. Director Of Public Works
 - d. Chief Of Police
 - e. Fire Chief
 - f. Planning
 - g. Finance Director
 - h. Recreation Director
 - i. Building Inspector

6. Items from the Public - Non-Agenda Items.

While the City Council welcomes and encourages participation in the meetings, it would be appreciated if you would limit your comments to 3 minutes so that everyone may be heard. Matters under the jurisdiction of the Council, and not on the posted agenda, may be addressed by the general public at this time. However, California law prohibits the Council from taking action on any matter which is not on the posted agenda unless it is determined to be an emergency by the City Council.

Items From The Public - Agenda Items.

Any member of the audience desiring to address the Council on a matter on the agenda: please raise your hand or step to the podium at the time the item is announced by the Mayor. In order that all interested parties have an opportunity to speak, any person addressing the Council will be limited to a maximum of 3 minutes unless the Mayor grants a longer period of time.

- Please come to the podium and state your name and address for the record.

7. Report On Closed Session – Property Negotiations.
8. Adopt Resolution No. 98- , Approving The Revised Joint Powers Agreement For The Stanislaus Area Association Of Governments.
9. Joint Meeting With Planning Commission
 - a. Roll Call – Planning Commission
 - b. Public Hearing:
 - i. Pre-zone Applications PS/A 98-1, Newman Industrial Pre-zone/Annexation.
 - ii. Pre-zone/Annexation PS/A 98-2, Newman Commercial Pre-zone/Application.
 - c. Adjourn Planning Commission.
10. Accept And Award The Low Bid For The Storm Drain Outfall Improvements On Inyo Avenue And Canal School Road Ditch, Project 98-01.
11. Authorize Staff To Allocate An Additional 40,000 Gallons Per Day Wastewater Discharge To F & A Dairy For \$223,269.00 Connection Fee.
12. Direct Staff To Negotiate And Prepare An Agreement To Allow F & A Dairy To Discharge A Defined Amount of “COW” Water Into The City Storm Drain System.
13. Adopt Resolution No. 98- , Regarding The Placement Of Prison Facilities With The City Of Newman And Its Sphere Of Influence.
14. Amend City Of Newman Municipal Code By Introducing Ordinance No. 98- , An Ordinance Amending Sections 8-1-2, 8-1-9 8-1-10 And 8-1-12 Of The Newman Municipal Code (waive further reading).
15. Approval Of Resolution No. 98- , A Resolution Adopting A Final Budget For The City Of Newman.
16. Adjourn To Meet As Newman Redevelopment Agency.
 - a. Roll Call
 - b. Resolution No. 98- , Adopting A Final Budget For The Newman Redevelopment Agency.

- c. Review ~~Process~~ For Design Work And Construction Of Downtown Improvements And Authorize ~~City Manager~~ To Proceed.
 - d. Review Of ~~Façade~~/Seismic-Retrofit Program And Direct Staff How To Proceed.
17. Approval Of ~~Warrant~~ #15668 To P G & E
18. Consent Calendar:
- a. Approval Of ~~Warrants~~.
 - b. Approval Of ~~Minutes~~ Of The September 8, 1998 Regular Meeting.
 - c. Resolution No. ~~98-~~ , A Resolution Accepting A Construction Contract, West Side Theatre ~~Roof Repair~~ (Project #980721).
19. Items From The ~~City Manager~~.
20. Items From City ~~Council~~members.
21. Adjournment.

RESOLUTION NO. 2001-12

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NEWMAN
APPROVING, ENDORSING AND RATIFYING THE REVISED JOINT POWERS
AGREEMENT ESTABLISHING THE STANISLAUS COUNCIL OF GOVERNMENTS**

WHEREAS, on September 21, 1998, the City of Newman approved, endorsed and ratified the Joint Powers Agreement establishing The Stanislaus Area Association of Governments; and

WHEREAS, subsequent to that action, the Stanislaus Area Association of Governments has decided to change its name to the Stanislaus Council of Governments; and

WHEREAS, this change requires that the Joint Powers Agreement Be revised.

NOW, THEREFORE BE IT RESOLVED that the City of Newman approves, endorses and ratified the Joint Powers Agreement establishing the Stanislaus Council of Governments, attached hereto and incorporated herein by reference; and and authorizes the Mayor and City Clerk to execute that Agreement on behalf of the City of Newman.

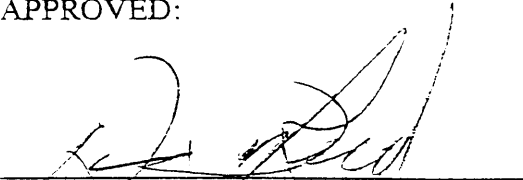
The foregoing resolution was introduced at a regular meeting of the City Council of the City of Newman held on the 10th day of April, 2001 by Councilmember Applegate, who moved its adoption, which motion was duly seconded and it was upon roll call carried and the resolution adopted by the following roll call vote:

AYES: Parker, Applegate, Martina, Fantazia and Mayor Reed

NOES: None


ABSENT: None

APPROVED:



Mayor of the City of Newman

ATTEST:




Deputy City Clerk of the City of Newman

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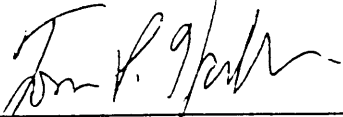
CITY OF NEWMAN

By: 
[Type Name] David Reed
Mayor

ATTEST:

By: 
[Type Name] M. Cleve Morris
City Clerk

Approved as to Legal Form:

By: 
[Type Name] Thomas P. Hallinan
City Attorney

CITY OF OAKDALE

By: _____
[Type Name]
Mayor

ATTEST:

By: _____
[Type Name]
City Clerk

Approved as to Legal Form:

By: _____
[Type Name]
City Attorney

Resolution No. 98-78

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*A Resolution of the City Council of the
City of Oakdale approving, endorsing and ratifying the
Revised Joint Powers Agreement establishing the
Stanislaus Area Association of Governments*

5 *WHEREAS, Oakdale is a member agency of SAAG; and*

6 *WHEREAS, the latest revision of the SAAG JPA was approved in May
1974; and*

7 *WHEREAS, in the 24 years since the last revision of the SAAG JPA there
8 have been significant changes in the rules and regulations
governing JPAs, and in the relationships between SAAG and
9 its member agencies; and*

10 *WHEREAS, Oakdale wishes to enter into a Revised JPA in order to
11 establish the duties and powers of a newly constituted SAAG
and to ensure effective operation, cooperation and dialog
among the SAAG member agencies; and*

12 *WHEREAS, the Revised JPA has been carefully reviewed and evaluated
13 by SAAG staff and various SAAG committees, as well as City
and County staffs; and*

14 *WHEREAS, it is the consensus of these groups that the Revised JPA
15 clarifies ambiguities in the 1974 JPA and establishes a more
participatory format; and*

16 *WHEREAS, the SAAG Policy Board has recommended approval of the
17 Revised JPA; and*

18 *WHEREAS, pursuant to Section 26 of the Stanislaus Area Association of
19 Governments (SAAG) Revised Joint Powers Agreement
20 (JPA) the Revised JPA shall become effective upon the
ratification by resolution of each of the member agencies of
SAAG.*

21 *NOW, THEREFORE, BE IT RESOLVED that Oakdale approves,
22 endorses and ratifies the Revised Joint Powers Agreement establishing
the Stanislaus Area Association of Governments, attached hereto and
23 incorporated herein by reference, and authorizes the Mayor and City
24 Clerk to execute the Revised SAAG JPA on behalf of the City of Oakdale.*

25 *PASSED AND ADOPTED this 8th day of September 1998, by the
26 following vote:*

RESOLUTION NO. 98-78

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AYES: COUNCILMEMBERS: Clark, Garcia, Kuhn, Peabody,
Skavdahl

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Pat Kuhn, Mayor

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ATTEST:

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Rebecca A. Peluso Pat Kuhn

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Rebecca A. Peluso
Certified Municipal Clerk

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Resolution No. 2001-44

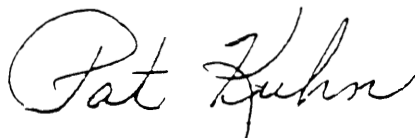
A Resolution of the Oakdale City Council
approving Joint Powers Agreement
Amendment w/StanCOG

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF
OAKDALE AS FOLLOWS:

1. That the Joint Powers Agreement with StanCOG, as amended, is hereby accepted and approved by the City Council.
2. That the Mayor, City Attorney and City Clerk are hereby authorized and directed to execute said agreement.

PASSED AND ADOPTED this 16th day of April 2001 by the following
vote:

AYES: COUNCILMEMBERS: Deklinski, Jackson, Kuhn, Rockey,
Skavdahl



Pat Kuhn, Mayor

Attest:



Rebecca A. Peluso
Certified Municipal Clerk

StanCOG
RECEIVED

APR 20 2001

CITY OF NEWMAN

By: _____
[Type Name]
Mayor

ATTEST:

By: _____
[Type Name]
City Clerk

Approved as to Legal Form:

By: _____
[Type Name]
City Attorney

CITY OF OAKDALE

By: Pat Kuhn
[Type Name] PAT/ KUHN
Mayor

ATTEST:

By: Rebecca A. Peluso
[Type Name] REBECCA A. PELUSO
City Clerk

Approved as to Legal Form:

By: Thomas N. Hallinan
[Type Name] THOMAS N. HALLINAN
City Attorney

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AYES: Councilmembers Brown, Vento, Campo and Mayor Dodds
NOES: None
ABSENT: Councilmember Wright

APPROVED:



Richard Dodds, Mayor of the City of Patterson

ATTEST:



Maricela L. Vela, City Clerk of the City of Patterson

I hereby certify that the foregoing is a full, correct and true copy of a resolution passed by the City Council of the City of Patterson, a Municipal Corporation of the County of Stanislaus, State of California, at a regular meeting held on the 15th day of September, 1998, and I further certify that said resolution is in full force and effect and has never been rescinded or modified.

DATED:

City Clerk of the City of Patterson

CITY OF OAKDALE

By: _____
[Type Name]
Mayor


ATTEST:

By: _____
[Type Name]
City Clerk


Approved as to Legal Form:

By: _____
[Type Name]
City Attorney

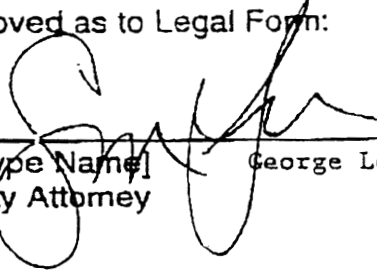
CITY OF PATTERSON

By:  _____
[Type Name] Richard Dodds
Mayor

ATTEST:

By:  _____
[Type Name] Maricela L. Vela
City Clerk

Approved as to Legal Form:

By:  _____
[Type Name] George Logan
City Attorney

RESOLUTION NO. 2001-37

**A RESOLUTION OF THE CITY COUNCIL OF THE
CITY OF PATTERSON, CALIFORNIA, APPROVING, ENDORSING AND
RATIFYING THE JOINT POWERS AGREEMENT ESTABLISHING
THE STANISLAUS COUNCIL OF GOVERNMENTS,
AUTHORIZING THE MAYOR TO EXECUTE THE
AGREEMENT ON BEHALF OF THE CITY OF PATTERSON**

WHEREAS, on September 15, 1998, the City of Patterson approved, endorsed, and ratified the Joint Powers Agreement establishing the Stanislaus Area Association of Governments; and

WHEREAS, subsequent to that action, the Stanislaus Area Association of Governments has decided to change its name to the Stanislaus Council of Governments; and

WHEREAS, this change requires that the Joint Powers Agreement be revised.

NOW, THEREFORE, BE IT RESOLVED that the City of Patterson approves, endorses, and ratifies the Joint Powers Agreement establishing the Stanislaus Council of Governments, attached hereto and incorporated herein by reference, and authorizes the Mayor and City Clerk to execute that Agreement on behalf of the City of Patterson.

The foregoing resolution was introduced at a regular meeting of the City Council of the City of Patterson, held on the 17th day of April 2001, by Councilmember Wright, who moved its adoption, which motion was duly seconded by Councilmember Brown and the resolution adopted by the following vote:

AYES: Councilmembers Wright, Brown, Keller and Mayor Dodds

NOES: None

EXCUSED: Councilmember Campo

APPROVED:



Richard E. Dodds

Mayor of the City of Patterson

CITY OF PATTERSON

By: [Signature]
[Type Name]
Mayor

ATTEST:

By: [Signature]
[Type Name]
City Clerk

Approved as to Legal Form:

By: [Signature]
[Type Name]
City Attorney

CITY OF RIVERBANK

By: _____
[Type Name]
Mayor

ATTEST:

By: _____
[Type Name]
City Clerk

Approved as to Legal Form:

By: _____
[Type Name]
City Attorney

City of Riverbank

Resolution No. 98-75

A Resolution of the City Council of the City of Riverbank Approving the Adoption of a Revised Joint Powers Agreement Establishing the Stanislaus Area Association of Governments (SAAG).

Whereas, in 1974, the City of Riverbank entered into a Joint Power Agreement (JPA) with the County of Stanislaus and eight other cities to establish the Stanislaus Area Association of Governments (SAAG); and

Whereas, in the 24 years since this agreement was ratified by the member agencies there have been significant changes in the rules, regulations, and relationships between SAAG and the member agencies; and

Whereas, to insure effective operations, cooperation and dialogue among all entities it is necessary to update and revise the present JPA; and

Whereas, the revised JPA has been carefully reviewed and evaluated by SAAG staff, City and County staff, and various SAAG boards, committees, and commissions; and

Whereas, it is the consensus of these groups that the revised JPA clarifies current ambiguities and establishes a more participatory format.

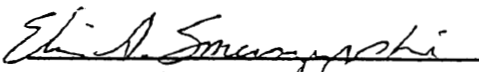
Now, Therefore, Be It Resolved, that the City Council of the City of Riverbank does hereby adopt the revised Joint Powers Agreement (JPA) establishing the Stanislaus Area Association of Governments (SAAG) and authorizes the Mayor to execute this agreement on behalf of the City of Riverbank.

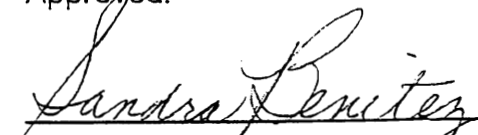
Passed and adopted this 13th day of July, 1998, by the following roll call vote:

Ayes: Councilmembers White, Whorton, Lineberger, Shewmake, and Mayor Benitez.
Noes: None.
Absent: None.

Attest:

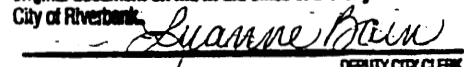
Approved:


Elise A. Smurzynski
City Clerk


Sandra Benitez
Mayor

CERTIFICATION

I hereby certify the foregoing is a true and correct copy of the original document on file in the office of the City Clerk of the City of Riverbank.


DEPUTY CITY CLERK

Date: July 24, 1998

New Business		<i>Action:</i>
5	Transportation. Stanislaus Area Association of Governments Joint Powers Agreement. Resolution No. 98-75	Adopt Resolution.

Staff Summary:

The present Joint Powers Agreement between the County and nine member cities, affecting the establishment and operations of the Stanislaus Area Association of Government was adopted on May 28, 1974. As such, the agreement needs to be updated and modified to adequately address present regulations and standards.

During the past year the SAAG staff, cities, and various boards and committees have thoroughly reviewed the revised Joint Powers Agreement. It is now ready for review and ratification by the nine member cities and the County.

Though to some degree it may not adequately resolve several concerns expressed by Riverbank and other small cities it is a negotiated compromise which offers certain enhancements for the less populous entities. A list of significant modifications are presented in the attached memorandum by Neumiller & Beardslee; however, staff has extrapolated those modifications of importance to Riverbank:

- ◆ Separate Entity - Clarifies that SAAG is a public entity which is separate and distinct from its member agencies (currently SAAG is under the County umbrella);
- ◆ Voting - Clarifies that a representative or alternate may cast only a single vote and must be present to do so;
- ◆ Elected Officials - Clarifies that representatives shall be elected officials, but the alternates need not be. Alternates will not be allowed to vote unless designated and notifications gives to the Executive Director within 24 hours of the first meeting to be attended by the alternate. It also provides that the Modesto City Manager and the County Chief Executive Officer are not eligible to serve as designated alternates.
- ◆ Quorum - Changed from a majority of the Board to at least one representative present from a majority of the member agencies.

Each of the nine member cities and County must adopt the new agreement or the 1974 agreement will remain in effect. Though staff concurs the agreement is not "perfect" it is far superior to the one that presently governs the rules, roles, and regulations of this body.

<i>Recommended Action:</i>	
City Council motion to: adopt Resolution No. 98-75, approving Revised Joint Powers Agreement with County, Cities, and SAAG.	

City of Riverbank

Resolution No. 2001-43

A Resolution of the City Council of the City of Riverbank Amending the Joint Powers Authority with Stanislaus Council of Government Formerly Known as Stanislaus Area Association of Governments.

Whereas, On July 13, 1998, the City of Riverbank approved, endorsed, and ratified the Joint Powers Agreement establishing the Stanislaus Area Association of Governments; and

Whereas, Subsequent to that action, the Stanislaus Area Association of Governments has decided to change its name to the Stanislaus Council of Governments; and

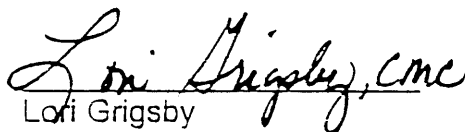
Whereas, This change requires that the Joint Powers Agreement be revised.

Now, Therefore, Be It Resolved that the City Council of the City of Riverbank approves, endorses, and ratifies the Joint Powers Agreement establishing the Stanislaus Council of Governments, attached hereto and incorporated herein by reference, and authorizes the Mayor and the City Clerk to execute that Agreement on behalf of the City of Riverbank.

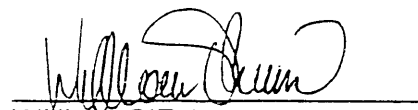
Passed and adopted this 23rd day of April 2001 by the following roll call vote:

Ayes: Councilmembers: Lineberger, Gutierrez, White, McGinnis, and Mayor O'Brien.
Noes: None.
Absent: None.
Abstain: None.

Attest:



Lori Grigsby
City Clerk

Approved:


William O'Brien
Mayor

CERTIFICATION

I hereby certify the foregoing is a true and correct copy of the original document on file in the office of the City Clerk of the City of Riverbank.


Luanne Baer
DEPUTY CITY CLERK

Date: April 24, 2001

CITY OF PATTERSON

By: _____
[Type Name]
Mayor

ATTEST:

By: _____
[Type Name]
City Clerk

Approved as to Legal Form:

By: _____
[Type Name]
City Attorney

CITY OF RIVERBANK

By: William O'Brien
[Type Name] William O'Brien
Mayor

ATTEST:

By: Lori Grigsby, cmc
[Type Name] Lori Grigsby
City Clerk

Approved as to Legal Form:

By: Thomas Hallinan
[Type Name] Thomas Hallinan
City Attorney

BEFORE THE CITY COUNCIL OF THE CITY OF TURLOCK

**IN THE MATTER OF APPROVING, ENDORSING }
AND RATIFYING THE REVISED JOINT POWERS }
AGREEMENT ESTABLISHING THE STANISLAUS }
AREA ASSOCIATION OF GOVERNMENTS. }**

RESOLUTION NO. 98-163

WHEREAS, the City of Turlock is a member agency of SAAG; and May 1974; and

WHEREAS, in the 24 years since the last revision of the SAAG JPA there have been significant changes in the rules and regulations governing JPAs, and in the relationships between SAAG and its member agencies; and

WHEREAS, the City of Turlock wishes to enter into a Revised JPA in order to establish the duties and powers of a newly constituted SAAG and to ensure effective operation, cooperation and dialog among the SAAG member agencies; and

WHEREAS, the Revised JPA has been carefully reviewed and evaluated by the SAAG staff and various SAAG committees, as well as City and County staffs; and

WHEREAS, it is the consensus of these groups that the Revised JPA clarifies ambiguities in the 1974 JPA and establishes a more participatory format; and

WHEREAS, the SAAG Policy Board has recommended approval of the Revised JPA; and

WHEREAS, Pursuant to Section 26 of the Stanislaus Area Association of Governments ("SAAG") Revised Joint Powers Agreement ("JPA") the revised JPA shall become effective upon the ratification by resolution of each of the member agencies of SAAG;

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Turlock, Approves, endorses and ratifies the Revised Joint Powers Agreement establishing the Stanislaus Area Association of Governments, attached hereto and incorporated herein by reference, and authorizes the City Manager to execute the Revised SAAG JPA on behalf of the City of Turlock.

PASSED AND ADOPTED at a regular meeting of the City Council of the City of Turlock this 25th day of August, 1998 by the following vote:

AYES: Councilmembers Yerby, Lazar, Ratto, Rumbleck and Mayor Andre
NOES: None
ABSTAIN: None
NOT PARTICIPATING: None
ABSENT: Nonc

ATTEST:

Rhonda Greenlee
Rhonda Greenlee, City Clerk,
City of Turlock, County of
Stanislaus, State of California

BEFORE THE CITY COUNCIL OF THE CITY OF TURLOCK

IN THE MATTER OF APPROVING, }
ENDORSING AND RATIFYING THE JOINT }
POWERS AGREEMENT ESTABLISHING }
THE STANISLAUS COUNCIL OF }
GOVERNMENTS }
_____ }

RESOLUTION NO. 2001-074

WHEREAS, on August 25, 1998, the City of Turlock approved, endorse, and ratified the Joint Powers Agreement Establishing the Stanislaus Area Association of Governments; and

WHEREAS, subsequent to that action, the Stanislaus Area Association of Governments has decided to change its name to the Stanislaus Council of Governments; and

WHEREAS, this change requires that the Joint Powers Agreement be revised.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Turlock does hereby approve, endorse and ratify the Joint Powers Agreement establishing the Stanislaus Council of Governments, attached hereto and incorporated herein by reference, and authorizes the Mayor and City Clerk to Execute that Agreement on behalf of the City of Turlock.

PASSED AND ADOPTED at a regular meeting of the City Council of the City of Turlock this 24th day of April, 2001, by the following vote:

AYES: Councilmembers Hatcher, Lazar, Wallen, Yerby and Mayor Andre
NOES: None
ABSTAIN: None
NOT PARTICIPATING: None
ABSENT: None

ATTEST:

Rhonda Greenlee
Rhonda Greenlee, City Clerk,
City of Turlock, County of
Stanislaus, State of California

The foregoing is a correct copy of the original on file in this office which has not been revoked and now in full force and effect.

Rhonda Greenlee
RHONDA GREENLEE, City Clerk of the City of Turlock, County of Stanislaus, State of California



CITY OF TURLOCK

By: [Signature]
[Type Name] CURT ANDRE
Mayor

ATTEST:

By: [Signature]
[Type Name] RHONDA GREENLEE
City Clerk

Approved as to Legal Form:

By: [Signature]
[Type Name] RICHARD C. BURTON
City Attorney

CITY OF WATERFORD

By: _____
[Type Name]
Mayor

ATTEST:

By: _____
[Type Name]
City Clerk

Approved as to Legal Form:

By: _____
[Type Name]
City Attorney

**WATERFORD CITY COUNCIL
RESOLUTION 98-54**

A RESOLUTION OF CITY OF WATERFORD APPROVING, ENDORSING AND RATIFYING THE REVISED JOINT POWERS AGREEMENT ESTABLISHING THE STANISLAUS AREA ASSOCIATION OF GOVERNMENTS

WHEREAS, City of Waterford is a member agency of SAAG; and

WHEREAS, the latest revision of the SAAG JPA was approved in May 1974; and

WHEREAS, in the 24 years since the last revision of the SAAG JPA there has been significant changes in the rules and regulations governing JPAs, and in the relationships between SAAG and its member agencies; and,

WHEREAS, City of Waterford desires to enter into a Revised JPA in order to establish the duties and powers of a newly constituted SAAG and to ensure effective operation, cooperation and dialog among the SAAG member agencies; and,

WHEREAS, the Revised JPA has been carefully reviewed and evaluated by SAAG staff and various SAAG committees, as well as City and County staffs; and,

WHEREAS, it is the consensus of these groups that the Revised JPA clarifies ambiguities in the 1974 JPA and establishes a more participatory format; and,

WHEREAS, the SAAG Policy Board has recommended approval of the Revised JPA; and,

WHEREAS, Pursuant to Section 26 of the Stanislaus Area Association of Governments (SAAG") Revised Joint Powers Agreement ("JPA") the Revised JPA shall become effective upon the ratification by resolution of each of the member agencies of SAAG.

NOW, THEREFORE BE IT RESOLVED that City of Waterford approves, endorses and ratifies the Revised Joint Powers Agreement establishing the Stanislaus Area Association of Governments, attached hereto and incorporated herein by reference, and authorizes the Mayor to execute the Revised SAAG JPA on behalf of City of Waterford.

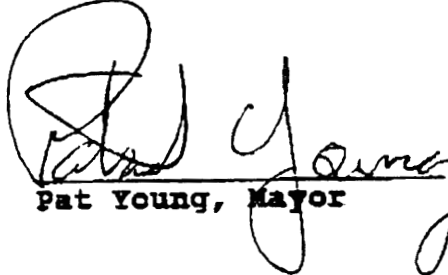
The foregoing resolution was passed and adopted by the City council of the City of Waterford, County of Stanislaus, State of California, at a regular meeting thereof held on 5th day of October 1998 by the following vote:

AYES: YOUNG, DAVIS, RORABAUGH, TURNER, BERTOLA
NOES: NONE
ABSENT: NONE
ABSTAIN: NONE

ATTEST:



Greg Dugovic, City Clerk



Pat Young, Mayor

APPROVED AS TO FORM:



William E. Gnass, City Attorney

**WATERFORD CITY COUNCIL
RESOLUTION # 2001-23**

A RESOLUTION OF CITY OF WATERFORD RECOGNIZING STANISLAUS AREA ASSOCIATION OF GOVERNMENTS NAME CHANGE TO STANISLAUS COUNCIL OF GOVERNMENTS & RATIFYING RESOLUTION 98-54 ENDORSING THE JOINT POWER AGREEMENT ESTABLISHING THE STANISLAUS AREA ASSOCIATION OF GOVERNMENTS

WHEREAS, on October 25, 1998, the City of Waterford approved, endorsed, and ratified the Joint Powers Agreement establishing the Stanislaus Area Association of Governments;

WHEREAS, subsequent to that action, the Stanislaus Area Association of Governments has decided to change its name to the Stanislaus Council of Governments;

WHEREAS, this change requires that the Joint Powers Agreement be revised.

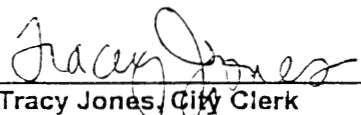
NOW, THEREFORE BE IT RESOLVED that the City of Waterford approves, endorses, and ratifies the Joint Powers Agreement establishing the Stanislaus Council of Governments, attached hereto and incorporated herein by reference, and authorizes the Mayor and City Clerk to execute that Agreement on behalf of the City of Waterford.

PASSED AND ADOPTED by the Waterford City Council at a regular meeting held on April 19, 2001 by the following vote:

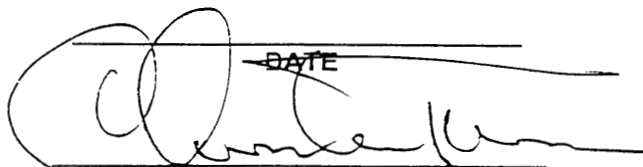
AYES: 5
NOES: 0
ABSENT: 0
ABSTAIN: 0

StanCOG
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ATTEST:

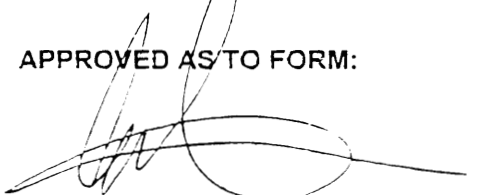


Tracy Jones, City Clerk



Charles Turner, Mayor

APPROVED AS TO FORM:



William Gnass, City Attorney

CITY OF TURLOCK

By: _____
[Type Name]
Mayor

ATTEST:

By: _____
[Type Name]
City Clerk

Approved as to Legal Form:

By: _____
[Type Name]
City Attorney

CITY OF WATERFORD

By: _____
[Type Name] **CHARLES TURNER**
Mayor

ATTEST:

By: _____
[Type Name] **TRACEY JONES**
City Clerk

Approved as to Legal Form:

By: _____
[Type Name] **WILLIAM ET GNASS**
City Attorney

EXHIBIT "A"

STANISLAUS COUNCIL OF GOVERNMENTS

AMENDED BYLAWS

RECITALS:

WHEREAS, it is deemed prudent to amend and restate the Bylaws of The Stanislaus Council of Governments. These Amended Bylaws shall supersede the previous Bylaws as amended April 10, 1974; July 10, 1974; and November 10, 1976.

ARTICLE I

MEETINGS

Section 1: Regular Meetings.

The Stanislaus Council of Governments shall hold monthly meetings. The time and the place of each meeting shall be determined by the Chairperson of the Council subject to the approval of the representatives. Notice of regular meetings shall be given to each representative and alternate representative at least ten (10) days prior to each meeting.

Section 2: Special Meetings.

Special meetings of the Council may be called by the Chairperson at his or her discretion at a time and place of his or her choice, or by a member agency upon request to the Chairperson. Representatives shall be notified of the meeting, either personally or by written notice, at least twenty-four (24) hours prior to the meeting. No business except that specified in the notice shall be discussed at a special meeting.

Section 3: Cancellation of Meetings.

The Chairperson may cancel any regular or special meeting of the Council except upon objection by any representative.

Section 4: Notice of Meetings.

The Chairperson shall direct the publication of notices of all meetings, public hearings, etc., as required by the State of California Government Code. It shall be the policy of the Council to notify any newspaper, radio station, television station, or other news media, of its meetings at least twenty-four (24) hours prior to the meetings upon the receipt of written request to do so.

Section 5: Committee Meetings.

Except as herein or otherwise provided, the Standing and Special Committees of the Council shall meet on the call of their Chairperson. Each committee member shall be notified of a meeting, either personally or by written notice, at least five (5) days prior to the meeting.

ARTICLE II

CONDUCT OF MEETINGS

Section 1: General Conduct.

Except as herein or otherwise provided, ROBERTS RULES OF ORDER shall govern all proceedings of the Council. In any event, all proceedings and conduct of the meetings shall be in full compliance with the State of California Government Code.

Section 2: Expression of Opinions.

It shall be the policy of the Council to entertain the opinions of any person, firm, or corporation relative to any pending matter.

Section 3: Adjourned Meetings.

The Chairperson may, with the approval of a majority of the representatives present, adjourn any meeting to a time and location of his or her choice.

Section 4: Voting Authorization.

All votes shall be cast by the person or persons authorized to do so by the member which they represent. Such authorization shall be made known to the Executive Director of the Council prior to each meeting of the Council. No proxy, absentee, or fractional votes may be cast.

ARTICLE III

EXECUTIVE SESSIONS

Section 1: Executive Sessions.

Executive sessions shall be held in conformance with the Government Code of the State of California.

ARTICLE IV

OFFICERS

Section 1: Chairperson.

The representative of the Council shall elect from among their number a Chairperson of the Council. The Chairperson shall serve a one-year term of office beginning at the first regular meeting of each fiscal year.

Section 2: Vice-Chairperson.

The representatives of the Council shall elect from among their number a Vice-Chairperson of the Council. The Vice-Chairperson shall serve a one-year term of office beginning at the first regular meeting in each fiscal year. The Chairperson shall act in the place of and have all the powers and duties of the Chairperson in the absence of the Chairperson.

Section 3: Secretary.

The Executive Director shall serve as the Secretary of the Council. The Secretary shall maintain a public record of the Council's resolutions, transactions, findings, and determinations, and shall prepare agendas and minutes of each Regular and Special meeting of the Council.

Section 4: Vacancy.

Upon a vacancy occurring in the office of the Chairperson, the Vice-Chairperson shall assume the office of Chairperson for the balance of the unexpired term. Upon a vacancy occurring in the office of the Vice-Chairperson the representatives shall elect, from among their number, a Vice-Chairperson to serve the balance of the unexpired term.

ARTICLE V

COMMITTEES

Section 1: Standing Committees.

The Standing Committees of the Council shall be:

A. Executive Committee.

The Executive Committee shall be constituted and operated in accordance with Section 8 of the Joint Powers Agreement of the Stanislaus Council of Governments. The Chairperson of the Stanislaus Council of Governments shall be ex officio the Chairperson of the Executive Committee. The Vice-chairperson of The Stanislaus Council of Governments shall be ex officio a member of The Executive Committee.

B. Technical Committee.

The Technical Committee shall consist of the Chief Administrative Official, or his or her designee, of each member of the Association as designated by the member. The Technical Committee shall advise the Executive Committee and the Association. The Committee shall annually elect from its own members its Chairperson.

C. Citizens Advisory Committee.

The Association shall maintain a Citizens Advisory Committee, which shall be operated in accordance with Appendix I of these Bylaws.

D. Social Services Transportation Advisory Council.

The Association shall maintain a Social Services Transportation Advisory Council which shall be operated in accordance with Appendix II of these Bylaws.

Section 2: Special Committees.

The Chairperson or representatives may appoint additional committees as may be necessary or desirable.

ARTICLE VI

FINANCIAL DETERMINATIONS

Section 1: Withdrawal.

A member of the Council that withdraws from the Council shall not have its financial contribution refunded.

Section 2: Newly Incorporated Cities.

Any newly incorporated city which becomes a member of the Council after the commencement of a fiscal year shall not be required to contribute financially to the Council until the subsequent fiscal year, providing that the said newly incorporated city becomes a member of the Council within one (1) year of its incorporation date.

Section 3: Other Political Entities.

Any other political entity which becomes a member of the Council after the commencement of a fiscal year shall contribute to the Council that amount which it would have contributed had it been a member at the commencement of the fiscal year.

ARTICLE VII

REFERRALS

Section 1: The Council may accept by letter or resolution referrals for study and report from any duly constituted advisory or legislative body or their representatives. Reports will be made and returned to the referring body within a reasonable time.

ARTICLE VIII

REPORTS

Section 1: The Council shall render a written report on its activities at the end of each fiscal year of operation to each legislative body within the jurisdiction of the Council.

ARTICLE IX

INITIATIVE

Section 1: The Council may, upon its own initiative, institute action to carry out any routine or special study or project.

ARTICLE X

COORDINATION

Section 1: It is the policy of the Council to establish technical and advisory liaison with all other agencies and bodies seeking to improve the quality of planning, health, safety, welfare and governmental services for the Stanislaus Regional Area.

ARTICLE XI

TRANSMITTAL OF PLANNING INFORMATION

Section 1: The Council hereby approves as a regular operating procedure the transmittal of planning information to the individual Boards of Supervisors, City Councils, County and City Planning Commissions, the California State Office of Planning, and any other duly constituted regional area, metropolitan, or other Planning Commission which may request in writing such information.

ARTICLE XII

AMENDMENTS

Section 1: These Bylaws may be amended by a two-thirds vote of those representatives voting at a Regular Meeting of the Council.

Section 2: Amendments to these Bylaws may be proposed by any representative of the Council.

Section 3: In no case shall a vote on a proposed amendment be conducted unless the said proposed amendment has been submitted in writing by the Secretary to the representatives and alternate representatives at least fifteen (15) days prior to the meetings.

APPENDIX I

STANISLAUS COUNCIL OF GOVERNMENTS

CITIZENS ADVISORY COMMITTEE BYLAWS

ARTICLE I

FUNCTION

Section 1: The Citizens Advisory Committee shall be a standing committee of the Stanislaus Council of Governments. The Committee shall advise the Council.

ARTICLE II

MEMBERSHIP

Section 1: The Citizens Advisory Committee shall be comprised of fifteen (15) residents of Stanislaus County. A quorum shall constitute one-half (1/2) of the current membership.

Section 2: When making Citizens Advisory Committee appointments, the Executive Committee shall attempt to provide a balance of views and a cross-section of county interests.

ARTICLE III

TERM OF OFFICE

Section 1: Seven of the initial appointees to the Citizens Advisory Committee shall serve for a term of two years, the said seven to be chosen by lot.

Section 2: Except as provided above, each appointment to the Committee shall be for a term of four (4) years.

Section 3: In no case shall any member of the Committee serve on the Committee longer than eight (8) consecutive years.

ARTICLE IV

APPOINTMENT

Section 1: Any resident of Stanislaus County may apply for membership on the Citizens Advisory Committee. The Secretary of the Council shall maintain a current list of all applicants. Each application for membership on the Committee shall be valid for a period of two years. After this time, the applicant's name may be removed from the list of applicants.

Section 2: The Executive Committee of the Council shall appoint, from the list of applicants, the members of the Citizens Advisory Committee. All matters pertaining to appointments shall be considered in Executive Session.

ARTICLE V

PERFORMANCE

Section 1: The members of the Citizens Advisory Committee will be expected to attend the meetings of the Committee on a regular basis. Any member of the Committee who is absent from three consecutive meetings of the Committee without the prior approval of the Executive Committee shall be dismissed from the Committee.

ARTICLE VI

REMOVAL

Section 1: The Executive Committee of the Council may, at any time, recommend the removal of any member of the Citizens Advisory Committee. A majority vote of the representatives of the Council shall be required to approve any removal. All matters pertaining to removal shall be considered in Executive Session.

ARTICLE VII

OFFICERS AND RULES

Section 1: The Citizens Advisory Committee shall elect from among its membership a Chairperson and a Vice-Chairperson. The term of office shall be one year.

Section 2: The Committee shall adopt rules and procedures for its meetings. Said rules and procedures shall be subject to approval by the Council.

ARTICLE VIII

STAFF

Section 1: The Executive Director of the Council shall serve as the Secretary of the Citizens Advisory Committee and shall provide the Committee with normal staff assistance.

ARTICLE IX

FINANCING

Section 1: Except as specifically provided by the Council, the members of the Citizens Advisory Committee shall receive no compensation for their service.

Section 2: The Council shall provide the Committee with the financial support the Council deems necessary for the successful functioning of the Committee.

ARTICLE X

AMENDMENT OF BYLAWS

Changes or amendments to these Bylaws shall be approved by two-thirds (2/3) of the members of that committee present and voting, and shall be subject to the majority approval of the Stanislaus Council of Governments Policy Board members present and voting. In no case shall a vote on a proposed amendment be conducted unless the said proposed amendment has been submitted in writing to the members of the committee at least fifteen (15) days prior to the meeting at which a vote is to be taken.

APPENDIX II

**STANISLAUS COUNCIL OF GOVERNMENTS
SOCIAL SERVICES TRANSPORTATION ADVISORY COUNCIL**

BYLAWS

ARTICLE I

FUNCTION

Section 1: The Social Services Transportation Advisory Council shall be a standing committee of the Stanislaus Council of Governments. The Committee shall advise the Council of Governments and have the following responsibilities:

1. Annually participate in the identification of transit needs in the jurisdiction, including unmet transit needs that may exist within the jurisdiction of the Stanislaus Council of Governments and that may be reasonable to meet by establishing or contracting for new public transportation or specialized transportation services or by expanding existing services.
2. Annually review and recommend action by the Council of Governments for the area within the Council of Governments' jurisdiction which finds by resolution, that:
 - A. there are no unmet transit needs; or
 - B. there are no unmet transit needs that are reasonable to meet; or
 - C. there are unmet transit needs, including needs that are reasonable to meet.
3. Advise the Council of Governments on any other major transit issues, including the coordination and consolidation of specialized transportation services.

ARTICLE II

MEMBERSHIP

Section 1: The Social Services Transportation Advisory Council shall consist of the following members who are residents of Stanislaus County:

1. One representative of potential transit users who is 60 years of age or older.

2. One representative of potential transit users who is handicapped.
3. Two representatives of the local social service providers for seniors, including one representative of a social service transportation provider, if one exists.
4. Two representatives of local social service providers for the handicapped, Including one representative of a social service transportation provider, it one exists.
5. One representative of a local social service provider for persons of limited means.
6. Two representatives from the local consolidated transportation service agency, designated pursuant to Subdivision (a) of Section 15975 of the Government Code, if one exists, including one representative from an operator, if one exists.
7. Up to two (2) additional representatives, if desired by the Council and appointed by the Executive Committee.

Section 2: A quorum shall constitute one-half (1/2) of the current membership.

ARTICLE III

TERM OF OFFICE

Section 1: Of the initial appointments to the Council, one-third of them shall be for a one-year term, one-third shall be for a two-year term, and one-third shall be for a three-year term.

Section 2: Subsequent to the initial appointment, the term of appointment shall be for three years, which may be renewed for an additional three-year term.

Section 3: In no case shall any member of the Council serve on the Council longer than eight consecutive years.

ARTICLE IV

APPOINTMENT

Section 1: Any qualified resident of Stanislaus County may apply for membership on the Social Services Transportation Advisory Council. The Secretary of the Council of Governments shall maintain a current list of all applicants. Each application for membership on the Council shall be valid for a period of two years. After this time, the applicant's name may be removed from the list of applicants.

Section 2: The Executive Committee of the Council of Governments shall appoint, from the list of applicants, the members of the Social Services Transportation Advisory Council. All matters pertaining to appointments shall be considered in executive session.

Section 3: Additional nominees for the Social Services Transportation Advisory Council may be supplied by the Commission on Aging, the Mayor's Committee for Employment of Persons with Disabilities, and the United Way.

ARTICLE V

PERFORMANCE

Section 1: The members of the Social Services Transportation Advisory Council will be expected to attend the meetings of the Council on a regular basis. Any member of the Council who is absent from three consecutive meetings of the Council without prior approval of the (Secretary of the Council/Executive Committee), shall be dismissed from the Council.

ARTICLE VI

REMOVAL

Section 1: The Executive Committee of the Council of Governments may, at any time, recommend the removal of any member of the Social Services Transportation Advisory Council. A majority vote of the representatives of the Council of Governments shall be required to approve any removal. All matters pertaining to removals shall be considered in executive session.

ARTICLE VII

OFFICERS AND RULES

Section 1: The Social Services Transportation Advisory Council shall elect from among its membership a Chairperson and a Vice-Chairperson. The term of office shall be for one year.

Section 2: The Council shall adopt rules and procedures for its meetings. Said rules and procedures shall be subject to approval by the Association.

ARTICLE VIII

STAFF

Section 1: The Executive Director of the Council of Governments, or his or her appointee, shall serve as the Secretary of the Social Services Transportation Advisory Council and shall provide the Council with normal staff assistance.

ARTICLE IX

FINANCING

Section 1: Except as specifically provided by the Council of Governments, the members of the Social Services Transportation Advisory Council shall receive no compensation for their service.

Section 2: The Council of Governments shall provide the Council with the financial support the Council of Governments deems necessary for the successful functioning of the Council.

ARTICLE X

AMENDMENT OF BYLAWS

Changes or amendments to these Bylaws shall be approved by two-thirds (2/3) of the members of that Council present and voting, and shall be subject to the majority approval of the Stanislaus Council of Governments Policy Board members present and voting. In no case shall a vote on a proposed amendment be conducted unless the said proposed amendment has been submitted in writing to the members of the Council at least fifteen (15) days prior to the meeting at which a vote is to be taken.

STANCOG/COUNTY AGREEMENT

This Agreement is made and entered into this 27th day of March, 2001, by and between the Stanislaus Council of Governments, acting by and through its Chairperson, hereinafter referred to as "StanCOG," and the County of Stanislaus, by and through its Board of Supervisors, hereinafter referred to as "County".

WITNESSETH:

WHEREAS, StanCOG, formerly known as the Stanislaus Area Association of Governments (SAAG), is a legally formed public body under a Joint Powers Agreement; and

WHEREAS, the original Joint Powers Agreement has been amended by all member agencies consisting of the County of Stanislaus and the nine (9) incorporated cities, to clarify that it is the intent of all parties that StanCOG be an independent public agency; and

WHEREAS, StanCOG annually adopts a Budget and Overall Work Program, which require the employment of staff and the expenditure of funds; and

WHEREAS, StanCOG desires to continue to utilize certain County administrative services and functions, as specified in this Agreement; and

WHEREAS, County is willing to continue to provide to StanCOG those administrative services and functions, as specified in this Agreement; and

NOW, THEREFORE it is mutually agreed between StanCOG and the County as follows:

1. The County shall serve as the fiscal agent for StanCOG.
2. The County Auditor-Controller shall draw warrants to pay documents against StanCOG funds when the demands have been approved by the StanCOG Policy Board and/or the StanCOG Executive Director. The Controller shall maintain a public official bond throughout the duration of this Agreement.
3. Revenues accruing to StanCOG shall be deposited with the County Treasurer.
4. Adequate and timely financial records shall be kept by the County that clearly reflect the costs of services for which payment is claimed. County Auditor shall provide StanCOG with the same financial reports provided to County departments. Requests for custom reports and other unspecified services will be addressed under item 8 of this Agreement.
5. Records shall be available for inspection by a StanCOG representative at reasonable times during business hours.

6. County shall provide Management Information Services (MIS), Geographic Information Services (GIS), and central stores and purchasing services to StanCOG upon request.
7. County shall allow StanCOG to utilize County facilities for StanCOG functions, including meetings, subject to availability and standard County prior reservation policies and procedures. There shall be no charge for the use of these facilities.
8. County may provide unspecified other services to StanCOG, subject to availability, and upon request of StanCOG.
9. The County shall provide any and all agreed-upon services as provided in this Agreement to StanCOG at actual County costs, and shall invoice StanCOG for appropriate and relevant overhead costs as developed in the County's cost allocation plan and other such actual cost charged by County. County staff shall respond to StanCOG staff within thirty days of any inquiry by StanCOG concerning the amounts charged by County to StanCOG.
10. StanCOG shall arrange for its own payroll services independent of County.
11. StanCOG employees shall be selected solely by StanCOG based on StanCOG's own approved personnel requirements, position classifications, salary structure, and recruitment procedures. StanCOG employees shall not be County employees. StanCOG shall be solely responsible for all claims, administrative actions or litigation related to employment by StanCOG brought by employees of StanCOG, and agrees to defend and indemnify County if County is named as a defendant in any action, claim or litigation brought by an employee of StanCOG concerning employee's employment status with StanCOG.
12. The County shall continue to provide the following benefits to *all* StanCOG employees:
 - Health insurance
 - Dental Insurance
 - Vision Insurance
 - Supplemental Term Life Insurance
 - Basic Term Life Insurance
 - Workers Compensation Insurance
 - Access to Employee Assistance Program (Workplace Wellness)
 - Access to County training programs

StanCOG shall reimburse County for all actual County costs for such benefits set forth above.

13. In addition to the above, the County shall continue to provide the following benefits to *specified* StanCOG employees, as indicated:
 - Long Term Disability (Management and Executive Director only)


StanCOG shall reimburse County for actual County costs for such benefits set forth above.

14. StanCOG shall independently provide the following benefits to *all* StanCOG employees:
 - Unemployment Insurance
 - Deferred Compensation Plan with International City Management Association (ICMA)
 - Flexible Credit Excess payment to ICMA Deferred Compensation Plan
15. In addition to the above, StanCOG shall independently provide the following benefits to *specified* StanCOG employees, as indicated:
 - Deferred Compensation equal to 1% of employee's gross salary for Confidential employees, 1.5% for Management employees, And 2% for the Executive Director
 - Short Term Disability (Management employees and the Executive Director only)
16. StanCOG shall develop and adopt its own Employee Policies and Procedures Handbook. This will contain StanCOG employment guidelines and will also describe additional benefits available to StanCOG employees.
17. StanCOG shall provide its own agency insurance coverage, to specifically include the following:
 - Public Official & Employee Liability
 - General Liability and Property
 - Crime Coverage
18. StanCOG shall continue to participate in County's Disability Management Program and be subject to Return to Work and Medical Case Management protocols. StanCOG shall reimburse County for actual County costs for such benefits set forth above.
19. StanCOG shall continue to participate in the County's Injury Management Program and have a designated Injury Management Coordinator (IMC). StanCOG shall continue to designate a Safety Representative (SR) who will ensure that StanCOG complies with the Stanislaus County Safety Manual. StanCOG shall participate in all IMC/SR and related meetings called by the Chief Executive Office-Risk Management Division as necessary. StanCOG shall comply with the County's pre and post loss programs including training programs and will attend the annual Wellness and Safety Fair. StanCOG shall reimburse County for actual County costs for such benefits set forth above.
20. StanCOG shall continue to attend County's Equal Rights Commission meetings.
21. StanCOG shall continue to participate in the StanCERA retirement program, as an independent special district. StanCOG shall be responsible for all actual County retirement costs relating to participation in the StanCERA retirement program.
22. This Agreement is subject to amendment upon written agreement by both parties.
23. This Agreement may be terminated by either party by giving thirty (30) days' written notice of intention to terminate. Unless so terminated, this Agreement shall be in full force and effect from the date of its execution.


24. Upon its execution, this Agreement shall supercede and replace the previous Agreement entered into on the 14th day of March, 1978, by and between the Stanislaus Area Association of Governments and the County of Stanislaus.

IN WITNESS THEREOF, the parties have executed this agreement the day and year first above written.

**STANISLAUS COUNTY
BOARD OF SUPERVISORS**

By: 
Pat Paul
Chair, Stanislaus County
Board of Supervisors
MAR 27 2004

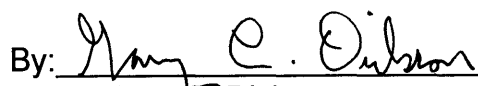
**STANISLAUS COUNCIL
OF GOVERNMENTS (StanCOG)**

By: 
Timothy S. Fisher
Chair
Stanislaus Council of Governments

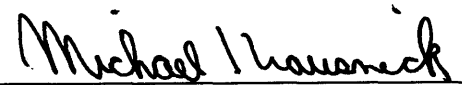
ATTEST:

By: 
Christine Ferraro Tallman
Clerk of the Board
Stanislaus County
Clerk for Christine

ATTEST:

By: 
Gary C. Dickson
Executive Director
Stanislaus Council of Governments

Approved as to Legal Form:

By: 
Michael Krausnick
Stanislaus County
County Counsel

Approved as to Legal Form:


By: 
DeeAnne Watkins
Counsel for
Stanislaus Council of Governments

EXHIBIT "A"

STANISLAUS AREA COUNCIL OF GOVERNMENTS

AMENDED BYLAWS

RECITALS:

WHEREAS, it is deemed prudent to amend and restate the Bylaws of The Stanislaus Council of Governments. These Amended Bylaws shall supersede the previous Bylaws as amended April 10, 1974; July 10, 1974; and November 10, 1976.

ARTICLE I

MEETINGS

Section 1: Regular Meetings.

The Stanislaus Council of Governments shall hold monthly meetings. The time and the place of each meeting shall be determined by the Chairperson of the Council subject to the approval of the representatives. Notice of regular meetings shall be given to each representative and alternate representative at least ten (10) days prior to each meeting.

Section 2: Special Meetings.

Special meetings of the Council may be called by the Chairperson at his or her discretion at a time and place of his or her choice, or by a member agency upon request to the Chairperson. Representatives shall be notified of the meeting, either personally or by written notice, at least twenty-four (24) hours prior to the meeting. No business except that specified in the notice shall be discussed at a special meeting.

Section 3: Cancellation of Meetings.

The Chairperson may cancel any regular or special meeting of the Council except upon objection by any representative.

Section 4: Notice of Meetings.

The Chairperson shall direct the publication of notices of all meetings, public hearings, etc., as required by the State of California Government Code. It shall be the policy of the Council to notify any newspaper, radio station, television station, or other news media, of its meetings at least twenty-four (24) hours prior to the meetings upon the receipt of written request to do so.

Section 5: Committee Meetings.

Except as herein or otherwise provided, the Standing and Special Committees of the Council shall meet on the call of their Chairperson. Each committee member shall be notified of a meeting, either personally or by written notice, at least five (5) days prior to the meeting.

ARTICLE II

CONDUCT OF MEETINGS

Section 1: General Conduct.

Except as herein or otherwise provided, ROBERTS RULES OF ORDER shall govern all proceedings of the Council. In any event, all proceedings and conduct of the meetings shall be in full compliance with the State of California Government Code.

Section 2: Expression of Opinions.

It shall be the policy of the Council to entertain the opinions of any person, firm, or corporation relative to any pending matter.

Section 3: Adjourned Meetings.

The Chairperson may, with the approval of a majority of the representatives present, adjourn any meeting to a time and location of his or her choice.

Section 4: Voting Authorization.

All votes shall be cast by the person or persons authorized to do so by the member which they represent. Such authorization shall be made known to the Executive Director of the Council prior to each meeting of the Council. No proxy, absentee, or fractional votes may be cast.

ARTICLE III

EXECUTIVE SESSIONS

Section 1: Executive Sessions.

Executive sessions shall be held in conformance with the Government Code of the State of California.

ARTICLE IV

OFFICERS

Section 1: Chairperson.

The representative of the Council shall elect from among their number a Chairperson of the Council. The Chairperson shall serve a one-year term of office beginning at the first regular meeting of each fiscal year.

Section 2: Vice-Chairperson.

The representatives of the Council shall elect from among their number a Vice-Chairperson of the Council. The Vice-Chairperson shall serve a one-year term of office beginning at the first regular meeting in each fiscal year. The Vice-Chairperson shall act in the place of and have all the powers and duties of the Chairperson in the absence of the Chairperson.

Section 3: Secretary.

The Executive Director shall serve as the Secretary of the Council. The Secretary shall maintain a public record of the Council's resolutions, transactions, findings, and determinations, and shall prepare agendas and minutes of each Regular and Special meeting of the Council.

Section 4: Vacancy.

Upon a vacancy occurring in the office of the Chairperson, the Vice-Chairperson shall assume the office of Chairperson for the balance of the unexpired term. Upon a vacancy occurring in the office of the Vice-Chairperson the representatives shall elect, from among their number, a Vice-Chairperson to serve the balance of the unexpired term.

ARTICLE V

COMMITTEES

Section 1: Standing Committees.

The Standing Committees of the Council shall be:

A. Executive Committee.

The Executive Committee shall be constituted and operated in accordance with Section 8 of the Joint Powers Agreement of the Stanislaus Council of Governments. The Chairperson of the Stanislaus Council of Governments shall be ex officio the Chairperson of the Executive Committee. The Vice-chairperson of the Stanislaus Council of Governments shall be ex officio a member of the Executive Committee.

B. Technical Committee.

The Technical Committee shall consist of the Chief Administrative Official, or his or her designee, of each member of the Council as designated by the member. The Technical Committee shall advise the Executive Committee and the Council. The Committee shall annually elect from its own members its Chairperson.

C. Citizens Advisory Committee.

The Council shall maintain a Citizens Advisory Committee which shall be operated in accordance with Appendix I of these Bylaws.

D. Social Services Transportation Advisory Council.

The Council shall maintain a Social Services Transportation Advisory Council which shall be operated in accordance with Appendix II of these Bylaws.

Section 2: Special Committees.

The Chairperson or representatives may appoint additional committees as may be necessary or desirable.

ARTICLE VI

FINANCIAL DETERMINATIONS

Section 1: Withdrawal.

A member of the Council that withdraws from the Council shall not have its financial contribution refunded.

Section 2: Newly Incorporated Cities.

Any newly incorporated city which becomes a member of the Council after the commencement of a fiscal year shall not be required to contribute financially to the Council until the subsequent fiscal year, providing that the said newly incorporated city becomes a member of the Council within one (1) year of its incorporation date.

Section 3: Other Political Entities.

Any other political entity which becomes a member of the Council after the commencement of a fiscal year shall contribute to the Council that amount which it would have contributed had it been a member at the commencement of the fiscal year.

ARTICLE VII

REFERRALS

Section 1: The Council may accept by letter or resolution referrals for study and report from any duly constituted advisory or legislative body or their representatives. Reports will be made and returned to the referring body within a reasonable time.

ARTICLE VIII

REPORTS

Section 1: The Council shall render a written report on its activities at the end of each fiscal year of operation to each legislative body within the jurisdiction of the Council.

ARTICLE IX

INITIATIVE

Section 1: The Council may, upon its own initiative, institute action to carry out any routine or special study or project.

ARTICLE X

COORDINATION

Section 1: It is the policy of the Council to establish technical and advisory liaison with all other agencies and bodies seeking to improve the quality of planning, health, safety, welfare and governmental services for the Stanislaus Regional Area.

ARTICLE XI

TRANSMITTAL OF PLANNING INFORMATION

Section 1: The Council hereby approves as a regular operating procedure the transmittal of planning information to the individual Boards of Supervisors, City Councils, County and City Planning Commissions, the California State Office of Planning, and any other duly constituted regional area, metropolitan, or other Planning Commission which may request in writing such information.

ARTICLE XII

AMENDMENTS

Section 1: These Bylaws may be amended by a two-thirds vote of those representatives voting at a Regular Meeting of the Council.

Section 2: Amendments to these Bylaws may be proposed by any representative of the Council.

Section 3: In no case shall a vote on a proposed amendment be conducted unless the said proposed amendment has been submitted in writing by the Secretary to the representatives and alternate representatives at least fifteen (15) days prior to the meetings.

APPENDIX I

STANISLAUS COUNCIL OF GOVERNMENTS CITIZENS ADVISORY COMMITTEE BYLAWS

ARTICLE I

FUNCTION

Section 1: The Citizens Advisory Committee shall be a standing committee of the Stanislaus Council of Governments. The Committee shall advise the Council.

ARTICLE II

MEMBERSHIP

Section 1: The Citizens Advisory Committee shall be comprised of fifteen (15) residents of Stanislaus County. A quorum shall constitute one-half (1/2) of the current membership.

Section 2: When making Citizens Advisory Committee appointments, the Executive Committee shall attempt to provide a balance of views and a cross-section of county interests.

ARTICLE III

TERM OF OFFICE

Section 1: Seven of the initial appointees to the Citizens Advisory Committee shall serve for a term of two years, the said seven to be chosen by lot.

Section 2: Except as provided above, each appointment to the Committee shall be for a term of four (4) years.

Section 3: In no case shall any member of the Committee serve on the Committee longer than eight (8) consecutive years.

ARTICLE IV

APPOINTMENT

Section 1: Any resident of Stanislaus County may apply for membership on the Citizens Advisory Committee. The Secretary of the Council shall maintain a current list of all applicants. Each application for membership on the Committee shall be valid for a period of two years. After this time, the applicant's name may be removed from the list of applicants.

Section 2: The Executive Committee of the Council shall appoint, from the list of applicants, the members of the Citizens Advisory Committee. All matters pertaining to appointments shall be considered in Executive Session.

ARTICLE V

PERFORMANCE

Section 1: The members of the Citizens Advisory Committee will be expected to attend the meetings of the Committee on a regular basis. Any member of the Committee who is absent from three consecutive meetings of the Committee without the prior approval of the Executive Committee shall be dismissed from the Committee.

ARTICLE VI

REMOVAL

Section 1: The Executive Committee of the Council may, at any time, recommend the removal of any member of the Citizens Advisory Committee. A majority vote of the representatives of the Association shall be required to approve any removal. All matters pertaining to removal shall be considered in Executive Session.

ARTICLE VII

OFFICERS AND RULES

Section 1: The Citizens Advisory Committee shall elect from among its membership a Chairperson and a Vice-Chairperson. The term of office shall be one year.

Section 2: The Committee shall adopt rules and procedures for its meetings. Said rules and procedures shall be subject to approval by the Association.

ARTICLE VIII

STAFF

Section 1: The Executive Director of the Council shall serve as the Secretary of the Citizens Advisory Committee and shall provide the Committee with normal staff assistance.

ARTICLE IX

FINANCING

Section 1: Except as specifically provided by the Council, the members of the Citizens Advisory Committee shall receive no compensation for their service.

Section 2: The Council shall provide the Committee with the financial support the Council deems necessary for the successful functioning of the Committee.

ARTICLE X

AMENDMENT OF BYLAWS

Changes or amendments to these Bylaws shall be approved by two-thirds (2/3) of the members of that committee present and voting, and shall be subject to the majority approval of the Stanislaus Council of Governments Policy Board members present and voting. In no case shall a vote on a proposed amendment be conducted unless the said proposed amendment has been submitted in writing to the members of the committee at least fifteen (15) days prior to the meeting at which a vote is to be taken.

APPENDIX II

STANISLAUS COUNCIL OF GOVERNMENTS SOCIAL SERVICES TRANSPORTATION ADVISORY COUNCIL BYLAWS

ARTICLE I

FUNCTION

Section 1: The Social Services Transportation Advisory Council shall be a standing committee of the Stanislaus Council of Governmental. The Committee shall advise the Council and have the following responsibilities:

1. Annually participate in the identification of transit needs in the jurisdiction, including unmet transit needs that may exist within the jurisdiction of the Stanislaus Council of Governments, and that may be reasonable to meet by establishing or contracting for new public transportation or specialized transportation services or by expanding existing services.
2. Annually review and recommend action by the Council of Governments for the area within the Council of Governments' jurisdiction which finds by resolution, that:
 - A. there are no unmet transit needs; or
 - B. there are no unmet transit needs that are reasonable to meet; or
 - C. there are unmet transit needs, including needs that are reasonable to meet.
3. Advise the Council of Governments on any other major transit issues, including the coordination and consolidation of specialized transportation services.

ARTICLE II

MEMBERSHIP

Section 1: The Social Services Transportation Advisory Council shall consist of the following members who are residents of Stanislaus County:

1. One representative of potential transit users who is 60 years of age or older.
2. One representative of potential transit users who is handicapped.
3. Two representatives of the local social service providers for seniors, including one representative of a social service transportation provider, if one exists.
4. Two representatives of local social service providers for the handicapped, including one representative of a social service transportation provider, if one exists.
5. One representative of a local social service provider for persons of limited means.
6. Two representatives from the local consolidated transportation service agency, designated pursuant to Subdivision (a) of Section 15975 of the Government Code, if one exists, including one representative from an operator, if one exists.
7. Up to two (2) additional representatives, if desired by the Council and appointed by the Executive Committee.

Section 2: A quorum shall constitute one-half (1/2) of the current membership.

ARTICLE III

TERM OF OFFICE

Section 1: Of the initial appointments to the Council, one-third of them shall be for a one-year term, one-third shall be for a two-year term, and one-third shall be for a three-year term.

Section 2: Subsequent to the initial appointment, the term of appointment shall be for three years, which may be renewed for an additional three-year term.

Section 3: In no case shall any member of the Council serve on the Council longer than eight consecutive years.

ARTICLE IV

APPOINTMENT

Section 1: Any qualified resident of Stanislaus County may apply for membership on the Social Services Transportation Advisory Council. The Secretary of the Council of Governments shall maintain a current list of all applicants. Each application for membership on the Council shall be valid for a period of two years. After this time, the applicant's name may be removed from the list of applicants.

Section 2: The Executive Committee of the Council of Governments shall appoint, from the list of applicants, the members of the Social Services Transportation Advisory Council. All matters pertaining to appointments shall be considered in Executive session.

Section 3: Additional nominees for the Social Services Transportation Advisory Council may be supplied by the Commission on Aging, the Mayor's Committee for Employment of Persons with Disabilities, and the United Way.

ARTICLE V

PERFORMANCE

Section 1: The members of the Social Services Transportation Advisory Council will be expected to attend the meetings of the Council on a regular basis. Any member of the Council who is absent from three consecutive meetings of the Council without prior approval of the Secretary of the Council/Executive Committee, shall be dismissed from the Council.

ARTICLE VI

REMOVAL

Section 1: The Executive Committee of the Council of Governments may, at any time, recommend the removal of any member of the Social Services Transportation Advisory Council. A majority vote of the representatives of the Council of Governments shall be required to approve any removal. All matters pertaining to removals shall be considered in executive session.

ARTICLE VII

OFFICERS AND RULES

Section 1: The Social Services Transportation Advisory Council shall elect from among its membership a Chairperson and a Vice-Chairperson. The term of office shall be for one year.

Section 2: The Council shall adopt rules and procedures for its meetings. Said rules and procedures shall be subject to approval by the Council of Governments.

ARTICLE VIII

STAFF

Section 1: The Executive Director of the Council of Governments, or his or her appointee, shall serve as the Secretary of the Social Services Transportation Advisory Council and shall provide the Council with normal staff assistance.

ARTICLE IX

FINANCING

Section 1: Except as specifically provided by the Council of Governments, the members of the Social Services Transportation Advisory Council shall receive no compensation for their service.

Section 2: The Council of Governments shall provide the Committee with the financial support the Council of Governments deems necessary for the successful functioning of the Council..

ARTICLE X

AMENDMENT OF BYLAWS

Changes or amendments to these Bylaws shall be approved by two-thirds (2/3) of the members of that Council present and voting, and shall be subject to the majority approval of the Stanislaus Council of Governments Policy Board members present and voting. In no case shall a vote on a proposed amendment be conducted unless the said proposed amendment has been submitted in writing to the members of the Council at least fifteen (15) days prior to the meeting at which a vote is to be taken.