



A Public Agency

December 20, 2016

City of Cathedral City
68-700 Avenida Lalo Guerrero
Cathedral City, CA 92234

Attn: Charlie McClendon, City Manager

City of Cathedral City
68-700 Avenida Lalo Guerrero
Cathedral City, CA 92234

Attn: Stan Henry, Mayor

Re: Fourth Amendment to SunLine Joint Powers Transportation Agency Agreement

Dear Gentleman:

At its December 7, 2016 meeting, the Board of Directors of SunLine Transit Agency authorized the preparation of an amendment to the SunLine Joint Powers Transportation Agency Agreement ("Agreement") and directed SunLine staff to circulate the proposed amendment to each of its member agencies for consideration and approval. The purpose and background of the amendment is as follows:

On May 25, 2016, the SunLine Transit Agency Board of Directors directed its staff to prepare a proposed fourth amendment to the agreement to specify that the Board of Directors may receive compensation for their attendance at Board meetings and Board subcommittee meetings. As a joint powers agency that includes the County, charter cities and general law cities, SunLine may pay compensation to its Board members consistent with the law applicable to its member agencies. The law places no limits on the compensation to members of the Board of Supervisors and City Council members in charter cities, but general law cities are subject to the limitations in Government Code section 36516. A Fourth Amendment was prepared and circulated to the member agencies, but some concerns with the language caused one-member city to reject the amendment.

The Board reconsidered the issue and directed staff to prepare a revised version of the Fourth Amendment for consideration by the member agencies. This revised fourth amendment is similar to the previous version in that it specifically authorizes the Board members to receive stipends for their attendance at meetings consistent with the limitations applicable to general law cities. The amount of such stipends will be set by resolution of the SunLine Board and will be paid out of

SunLine funds. However, this version of the Fourth Amendment also includes a provision pursuant to Government Code section 6509, which states that the power of a joint powers agency “is subject to the restrictions upon the manner of exercising the power of one of the contracting parties, which party shall be designated by the agreement.” Since most of SunLine’s members are charter cities, this Fourth Amendment specifically states that SunLine’s powers are limited in the same manner as the charter city members. With respect to Board compensation, however, there is an additional provision that ensures compensation will be in line with the powers of a general law city, and not a charter city.

Enclosed you will find the proposed Fourth Amendment to the Agreement and a sample staff report for your use in the agenda packet. SunLine respectfully requests that you place the proposed Fourth Amendment on the next Council agenda, or as soon as reasonably possible, for approval. If approved, please return two executed copies of the Fourth Amendment to Diane Beebe, Special Assistant to the General Manager/Clerk of the Board, at 32-505 Harry Oliver Trail, Thousand Palms, California, 92276.

Thank you for your assistance in this matter.

Sincerely,



Lauren Skiver
CEO/General Manager
SunLine Transit Agency

Cc: SunLine Agency Board Member Greg Pettis
Eric S. Vail, City Attorney