

AMENDMENT TO JOINT POWERS AGREEMENT BETWEEN
THE COUNTY OF SAN BERNARDINO AND THE CITIES OF
CHINO, COLTON, FONTANA, GRAND TERRACE, LOMA
LINDA, MONTCLAIR, ONTARIO, RANCHO CUCAMONGA,
REDLANDS, RIALTO, SAN BERNARDINO AND UPLAND
CREATING A COUNTYWIDE TRANSPORTATION AUTHORITY
TO BE KNOWN AS "OMNITRANS"

THIS AGREEMENT AMENDMENT, dated for convenience on the
1st day of October, 1984, is entered into by and between the
COUNTY OF SAN BERNARDINO and the CITIES of CHINO, COLTON,
FONTANA, GRAND TERRACE, LOMA LINDA, MONTCLAIR, ONTARIO, RANCHO
CUCAMONGA, REDLANDS, RIALTO, SAN BERNARDINO and UPLAND, all of
which are bodies politic in the State of California.

W I T N E S S E T H:

WHEREAS, the parties forming OMNITRANS, a joint powers
authority, desire to amend the OMNITRANS Joint Powers Agreement
to provide for changes to the calculation of weighted vote
entitlements of member agencies of OMNITRANS;

NOW, THEREFORE, the parties to the OMNITRANS Joint
Powers Agreement agree as follows:

1. Section 3.B. of the OMNITRANS Joint Powers Agreement
dated March 8, 1976 is hereby amended, effective upon approval of
this Amendment by all member agencies of OMNITRANS, to read as
follows:

"Section 3.B.

Voting.

Each member of the Board of Directors shall
have one vote, provided, however, that upon the
call of any Board member, a weighted voting shall
be used with weighted votes calculated as follows:

Weighted vote entitlements shall be calculated
based upon population. Each member agency shall
receive one vote for each one percent (1%) of the
total population of the OMNITRANS service area that
resides within the member agency's jurisdictional

area. If the population percentage computation of a member agency results in a partial vote, the weighted vote calculation shall be made by rounding upward for population calculations of one-half percent ($1/2\%$) or more, and rounding downward for population calculations of less than one-half percent ($1/2\%$) except that no member agency shall have less than one vote when weighted voting occurs. The Controller shall compute the weighted vote entitlement for each member agency as of the preceding July 1st based on the most recent Department of Finance Population Statements. The entitlement for the County of San Bernardino shall be determined by utilizing the most recent County Planning Department information indicating the percentage of unincorporated population of the County residing within the service area of Omnitrans. In the event that the "off the top" funding method first approved by the Omnitrans Board of Directors for the 1983-84 fiscal year is no longer used by Omnitrans, then weighted voting entitlements shall thereafter be calculated in the manner that existed prior to this Amendment to the Omnitrans Joint Powers Agreement.

Weighted vote entitlements of each member agency shall be computed by the Controller designated in Section 3.D. of this agreement and such computations will control in determining weighted votes. The weighted votes to which the County is entitled shall be divided equally among those Supervisors present. The weighted votes of any single representative shall not be split. The weighted voting of any single member agency shall not, of itself, constitute a majority vote. A quorum shall consist of a majority of the

membership of the Board of Directors, except that all County representatives on the Board of Directors shall be counted as one for the purpose of establishing a quorum. Less than a quorum may adjourn from time to time. All actions taken by the Board shall require a majority vote of the members present, with a quorum in attendance, provided, however, that adoption of By-laws, Amendment of By-laws, adoption of an annual budget and such other matters as the Board may designate shall require a majority vote of the entire membership of the Board (majority of total weighted votes of all parties if weighted voting is called for). An abstention shall be considered neither an affirmative nor a negative vote, but the presence of the member abstaining shall be counted in determining whether or not there is a quorum in attendance."

2. All other provisions of the Omnitrans Joint Powers Agreement, as amended, shall remain in full force and effect.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement Amendment to be executed and attested by their proper officers thereunto duly authorized as of the date and year first above written.

Dated: _____

COUNTY OF SAN BERNARDINO

ATTEST:

Clerk of the Board

Chairman, Board of Supervisors

Dated: _____

CITY OF CHINO

ATTEST:

City Clerk

Mayor

Dated: 12-5-84

ATTEST:
Helen A. Ramos
City Clerk

CITY OF COLTON

[Signature]
Mayor

Dated: Jan 22, 1985

ATTEST:
Patricia D. Murray
City Clerk

CITY OF FONTANA

Nathan A. Simon
Mayor

Dated: October 29, 1984

ATTEST:
Myrna Erway
City Clerk

CITY OF GRAND TERRACE

[Signature]
Mayor

Dated: February 12, 1985

ATTEST:
Pamela Byrnes-O'Leary
City Clerk (Deputy)

CITY OF LOMA LINDA

Ardyce H. Koob
Mayor

Dated: _____

ATTEST:

City Clerk

CITY OF MONTCLAIR

Mayor

Dated: _____

ATTEST:

City Clerk

CITY OF ONTARIO

Mayor

Dated: _____

ATTEST:

City Clerk

CITY OF RANCHO CUCAMONGA

Mayor

Dated: 3-5-85

CITY OF REDLANDS

ATTEST: Louise Boyer
City Clerk

Carol Bowers
Mayor

Dated: 11-20-84

CITY OF RIALTO

ATTEST: Joseph D. Simpson
City Clerk

Donald K. Egan
Mayor

Dated: _____

CITY OF SAN BERNARDINO

ATTEST: _____
City Clerk

Mayor

Dated: _____

CITY OF UPLAND

ATTEST: _____
City Clerk

Mayor

3-5-85
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OMNITRANS



INTER-OFFICE MEMO

DATE: September 28, 1984

TO: Members of OMNITRANS Board of Directors

FROM: Warren A. Knudson, OMNITRANS Controller

SUBJECT: OMNITRANS Board Weighted Vote

Board action on May 4, 1983, required that the weighted vote calculation be based upon **POPULATION** within a two year period. To comply with the stated Board action, a new calculation of the weighted vote has been made.

Attached is a schedule comparing the new calculation to the most recent weighted vote calculation (population/assets). Below is the proposed weighted vote by jurisdiction:

San Bernardino County	22
Chino	6
Colton	3
Fontana	6
Grand Terrace	1
Loma Linda	1
Montclair	3
Ontario	13
Rancho Cucamonga	8
Redlands	6
Rialto	6
San Bernardino City	17
Upland	<u>7</u>
Total	100

Warren A. Knudson
Warren A. Knudson
OMNITRANS
Controller

WAK:rw Attachment

6.

COMPARISON OF OMNITRANS BOARD WEIGHTED VOTE BASED ON POPULATION

Jurisdiction:	Population:	Percent of Total Population:	Population Weighted Vote:	Most Recent Weighted Vote:*	Percent of Most Recent Weighted Vote
San Bernardino County	173,233	22.3	22	356	41.0
Chino	45,847	5.9	6	26	3.0
Colton	23,331	3.0	3	28	3.2
Fontana	45,500	5.9	6	16	1.8
Grand Terrace	9,651	1.2	1	6	0.7
Loma Linda	11,214	1.4	1	8	0.9
Montclair	24,695	3.2	3	33	3.8
Ontario	104,174	13.4	13	57	6.6
Rancho Cucamonga	61,624	7.9	8	15	1.7
Redlands	48,934	6.3	6	40	4.6
Rialto	44,101	5.7	6	25	2.9
San Bernardino City	131,030	16.9	17	225	25.9
Upland	51,988	6.7	7	34	3.9
TOTAL:	775,322	100.0	100	869	100.0

City population from 1/1/84 DOF estimates

County population from County Population-Housing Bulletin, Jan. 1984

* From OMNITRANS Controller 5/26/82