

CALAVERAS COUNCIL OF GOVERNMENTS

(Regional Transportation Planning Agency)

ORIGINAL December, 1997

JOINT POWERS AGREEMENT

AMENDED: September 7, 1999
February 1, 2011
November 19, 2013
September 22, 2015

**JOINT POWERS AGREEMENT CALAVERAS
COUNCIL OF GOVERNMENTS (CCOG)**

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INTRODUCTION

The purpose for developing the Calaveras COG Joint Powers Agreement is dual:

- 1) To establish clear role and responsibilities among Member Agencies and CCOG in order to more efficiently deliver projects within the region; and
- 2) To incorporate a Policies and Procedures Manual to serve as an operational guide to ensure the smooth and proper execution of CCOG-related business.

The State California Business, Transportation and Housing Agency and the California Transportation Commission (CTC) have the authority to establish rules for the expenditure of funds by the CCOG. The statutory rules which apply to the expenditure of funds by the CCOG include, but not limited to:

- 1) Government Code (GC) Sections 29530 et seq.;
- 2) California Code of Regulations (CCR), Sections 6600 et seq.;
- 3) Public Utilities Code (PUC) Sections 99200 et seq.;
- 4) Streets and Highways Code;
- 5) California State Constitution;
- 6) United States Code;
- 7) CTC Guidelines for the State Transportation Improvement Program (STIP);
- 8) CTC Guidelines for the Regional Transportation Plan.

These rules are made part of this Agreement by reference. When conflicts arise between this Agreement and amended Federal or State rules, the Federal or State rules shall supersede those contained in this Agreement.

CALAVERAS COUNCIL OF GOVERNMENTS (CCOG)-OVERVIEW

A. Creation

In 1972, the Calaveras County Local Transportation Commission (LTC) was designated as the Regional Transportation Planning Agency (RTPA) for the County of Calaveras. This designation was made by the Director of Transportation pursuant to Title 36, Division 3, Chapter 2, Section 29532 of the California Government Code. The LTC was disbanded in 1997 in favor of a CCOG. Both the County of Calaveras and the City of Angels adopted the following Joint Powers Agreement on January 7, 1998 and amended this Agreement on Sept. 7 1999.

Upon the effective date of this amendment, the parties hereto hereby agree to reaffirm the establishment of the Calaveras Council of Governments, as a public entity separate and distinct from the Parties, as the entity to exercise common powers provided in this Agreement and to administer or otherwise execute this Agreement. This Agreement amends and supersedes any prior Joint Powers Agreements among the parties. The Calaveras Council of Governments shall continue to function, without interruption of its

duties, as the Regional Transportation Planning Agency (RTPA), for the County of Calaveras.

B. Purpose

The Calaveras COG (also known as The Regional Transportation Planning Agency (RTPA) is intended to act as the lead planning and administrative agency for the transportation projects and programs in Calaveras County. It is intended that the coordinated efforts of the City, County, and State officials and their technical staff through the CCOG will bring about positive improvements to the overall County transportation system. It is intended to identify funding sources, assist Member Agencies in obtaining funding, and ensure Member Agencies' compliance with State and Federal requirements. It is intended that the Council of Governments administer various funding sources.

C. CCOG Membership

The CCOG membership is made up of two representatives from each of the Member Agencies (The City of Angels City Council and Calaveras County Board of the Supervisors) and three Citizen Members. The seven members make up the CCOG.

1. Member Selection.

The City of Angels shall have two (2) members who shall be members of and appointed by the City of Angels City Council.

The County of Calaveras shall have two (2) members who shall be members of and appointed by the Calaveras County Board of Supervisors.

Each Member Agency shall designate at least one alternate representative who shall be a member of and appointed by that Member Agency.

Each Member Agency representative or alternate member as assigned shall be entitled to one vote on all matters coming before the CCOG provided such votes of the Member Agency representative are subject to any necessary and legal approval of their acts by their respective Member Agency Board.

2. Citizen Member Selection:

There shall be three (3) Citizen Members on the CCOG. The Citizen Members shall be selected by the majority of the Member Agency representatives on the CCOG.

a. Criteria for Citizen Member selection.

1. The Citizen Members shall be residents of Calaveras County or the City of Angels.
2. There shall not be two Citizen Members from the same supervisorial district or the City of Angels serving on the CCOG at

the same time unless approved by the Member Agency's governing body.

Alternate Citizen Members shall be appointed by the Member Agency representatives.

Each Citizen Member or alternate member as assigned shall be entitled to one vote on all matters coming before the CCOG.

The Member Agency representatives shall appoint three citizen members. Two citizen members shall be appointed for a term of two years. One citizen member shall be appointed for a term of one year. Thereafter, the terms of all citizen members shall be two years. Citizen members may be removed at any time by a majority vote of the Member Agency representatives.

D. Staffing

1. Executive Director

The Executive Director is responsible for the general administration of CCOG activities and policy oversight. The Executive Director shall be selected by, and shall serve at the pleasure of the Calaveras COG. The Executive Director plans, organizes and manages the daily activities of the CCOG and its staff, and directs the Overall Work Program's implementation. The specific powers and duties of the Executive Director are identified in Policies and Procedures Manual (incorporated by reference). Performance reviews of the Executive Director shall be conducted annually by the CCOG.

2. Technical Staff

Additional professional and administrative staff may serve as employees of the CCOG to provide the support needed to carry out CCOG's responsibilities as stated in this JPA. CCOG employees are appointed, supervised, suspended, disciplined, or removed and under direct supervision of the Executive Director. The specific positions and their duties and responsibilities are identified in the Policies and Procedures Manual incorporated into this document by reference.

The Executive Director may request of the County Administrative Officer or City Administrator the assignment of County or City personnel to perform work for the CCOG. CCOG work assigned to County *and/or* City employees should be programmed and approved in CCOG's annual Overall Work Program and included in CCOG's annual budget. Compensation for the direct and indirect costs of work performed for the CCOG by County and City employees will be reimbursed to the respective Member Agency by the CCOG.

Upon request by the County Administrative Officer or the City Administrator, and agreement by the Executive Director and/or Council, CCOG Staff may be assigned to perform work for the City or County. County *and/or* City work assigned to CCOG Staff should be programmed and approved in the CCOG Overall Work Program and

included in the CCOG annual budget. Compensation for direct and indirect costs of the work performed for the City and/or County by CCOG Staff will be reimbursed to the CCOG by the respective Member Agency.

The CCOG may annually negotiate an agreement with the Member Agencies for services that may include, but are not limited to, Treasurer, Auditor-Controller, Legal Services, Information Technology (IT) and Human Resources, planning, and engineering.

E. Committees

1. *Technical Advisory Committee (TAC)*. The TAC is the clearinghouse and technical review body for the CCOG. Membership of the TAC consists of the CCOG Executive Director, the County Public Works Director and County Planning Director, the City of Angels Planning Director, the City of Angels Engineer and the Caltrans District 1 a-Transportation Planner. Other City, County and Caltrans staff members may attend and participate in TAC meetings as needed. TAC meetings are held at the time and place designated by the CCOG Executive Director. The specific positions and their duties and responsibilities are identified in the Policies and Procedures Manual incorporated into this document by reference.
2. *Social Services Transportation Advisory Council (SSTAC)*. The SSTAC shall act in an advisory capacity to the Calaveras Council of Governments (CCOG) and have the following responsibilities:
 - a. Annually participate in the identification of transit needs in the jurisdiction, including unmet transit needs that may exist within the jurisdiction of the Council and that may be reasonable to meet by establishing or contracting for new public transportation or specialized transportation services or by expanding existing services.
 - b. The SSTAC may also advise the CCOG on any other transit issues, including the coordination and consolidation or specialized transportation services. The specific positions and their duties and responsibilities are identified in the Policies and Procedures Manual incorporated into this document by reference.
 - c. Members and alternates of this Council shall be appointed according to Section 99238 of the Transportation Development Act Statutes and California Code of Regulations. The maximum numbers of members shall be ten (10), as directed by CCOG.
3. *Interagency Transit Committee (ITC)*. The Interagency Transit Committee (ITC) provides recommendations to CCOG for improving the efficiency and effectiveness of the public transit system. The specific positions and their duties and responsibilities are identified in the Policies and Procedures Manual incorporated into this document by reference.

4. *Other Committees.* The CCOG may establish and maintain other committees as it deems necessary or convenient for the exercise of its powers and function in compliance with State and Federal guidelines and requirements.

Committee Creation. Each committee shall be created and operated in accordance with the Policies and Procedures Manual of the CCOG, except the SSTAC, which is subject to the requirements of Public Utilities Code Section 99238.

All Committees shall operate in compliance with the Ralph M. Brown Act.

F. Advisory Groups

1. The CCOG shall have the ability to establish advisory groups when needed to discuss CCOG Business.
2. *Executive Management Group.* The Executive Management Group (EMG) shall serve as an advisory body to the CCOG on matters regarding the administration and management of the CCOG. Specific powers and functions of EMG are identified in the CCOG Policies and Procedures Manual.

G. Organizational Chart

The organization chart is identified in the Policies and Procedures Manual, which is incorporated into this document by reference.

II. MEETING & AGENDAS

A. Dates, Times & Location of Meetings

1. The CCOG will generally meet monthly, on dates and at the time to be determined by the Council in accordance with the provision of the Brown Act.
2. *Technical Advisory Committee-* The TAC will meet on the third Wednesday of every month. The Executive Director will confirm the subsequent meeting date prior to the end of each TAC meeting. TAC meetings will be held at 10:00 a.m. at the CCOG Offices or City/County Offices unless otherwise posted. If the lack of sufficient business or scheduling conflicts justifies canceling or postponing a regular meeting, the Executive Director will notify members of the cancellation or postponement.
3. *Social Services Transportation Advisory Council-* This committee will meet as described by the Transportation Development Act or at the discretion of the Executive Director or the Member Agency if sufficient business justifies a meeting date.

4. *Interagency Transit Committee*- This committee will meet at the discretion of the Executive Director or the Member Agency if sufficient business justifies a meeting date.

B. Agendas

Deadline for Submission of Agenda Items. All items to be placed on the agenda shall be presented to the Executive Director of the CCOG no later than eleven calendar days prior to the respective CCOG meeting date.

Agenda Backup Material Requirements. In order for an item to be placed on the agenda, the following materials area to be submitted per the deadline identified above:

- 1) the exact title of the agenda item;
- 2) a brief paragraph explaining the agenda item, the desired action of the CCOG and a notation of any related staff reports and/or documents which, will be included in the CCOG packets.

Development & Dissemination of Final Agenda. The Executive Director of the CCOG shall be responsible for assembling and disseminating the final CCOG agenda and packet. These packets will be sent to all CCOG and TAG members, the Transit contractor, SSTAC, all County Supervisors, and all City Council members. Packets should be distributed no later than six calendar days prior to the respective CCOG meeting. Agendas only are sent to the Calaveras Enterprise, Stockton Record, The Pine Tree, California Valley Miwok Tribe, Calaveras Band of Mi-Wuk Indians, Calaveras Mountain Miwok Tribal Council, My Valley Springs, Valley Springs News, Union Democrat, Sierra Sentinel, the CHP, the Chamber of Commerce and the City Planning Commission.

III POWERS AND FUNCTIONS:

A. General

The CCOG shall function as a public entity separate from the Member Agencies. The CCOG shall have the common power of the Member Agencies to establish and administer an independent regional transportation planning agency and, in the exercise of that power, when required to discharge any statutory or regulatory duty or power imposed on or delegated to the CCOG, the Calaveras Council of Governments is authorized in its own name to:

1. Adopt a Policies and Procedure Manual outlining the process for the election of officers and other matters concerning governance, and adopt rules and regulations for the administration of its functions. The Policies and Procedures Manual shall provide for the positions of chairperson and vice chairperson to be elected annually.
2. Take actions necessary to fulfill obligations required by any public or private agency or individual, or the United States, the State of California, or any department, instrumentality, or agency thereof, for the

CCOG, or any Member Agency or other funding applicant being eligible to receive funds for transportation purposes.

3. Employ agents and employees as necessary for the purposes of carrying out this Agreement.
4. Administer the Transportation Development Act.
5. Contract for professional services unable to be performed by CCOG Staff or by those personnel provided to CCOG by the Member Agencies.
6. Make and enter into contracts.
7. Acquire, improve, hold, lease, convey and dispose of real and personal property as necessary to perform CCOG functions as stated in this JPA.
8. Incur debts, obligations and liabilities.
9. Accept contributions, grants or loans for financing its activities.
10. 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.
11. Reimburse CCOG members and CCOG employees for all reasonable expenses and costs relating to official business of the CCOG.
12. Do all other acts reasonable and necessary to carry out the purposes of this Agreement.
13. Sue and be sued, in its name only, but not in the same name or stead of any Member Agency.
14. Establish and maintain such committees as it deems necessary for the performance of its responsibilities as stated in this JPA.
15. Seek designation as necessary from any public or private agency or individual, or the United States, the State of California, or any department, instrumentality, or agency thereof, having funds available for transportation purposes, as the local agency with authority over regional transportation planning within the combined jurisdictions of the Member Agencies, when action or participation by such a combined agency is required for the CCOG, Member Agencies or other funding applicant to receive such funds.

B. Tasks and Responsibilities

As the Regional Transportation Planning Agency for Calaveras County, the CCOG's primary tasks and responsibilities include:

1. General oversight, administration and/or coordination of various Federal and State transportation funding programs and grants.
 - a. Secure State and Federal funds for the region and ensure projects are consistent with the Regional Transportation Plan.
 - b. Plan, program and monitor Calaveras County projects in the RTIP and State Transportation Improvement Program (STIP), which includes project delivery, timely use of funds and compliance with State law and California Transportation Commission (CTC) guidelines.
 - c. Manage non-Member Agency contributions to transportation planning projects.
 - d. Prepare, update and distribute policies and procedures for administration of planning and programming functions and other provisions related to Federal, State and local funding requirements.
2. Administration of Transportation Development Act (TDA) Funds.
 - a. Allocate and distribute funds and keep records associated with TDA and its funding mechanisms. The allocation procedures are identified in the CCOG Policies and Procedures Manual.
 - b. Annually designate an independent auditor to conduct a TDA Fiscal and Compliance Audit for CCOG and public transit activities. The Final Audit Reports are due to the State Controller within 90 days after the end of each fiscal year. The audits shall be conducted in accordance with generally accepted auditing standards by a certified public accountant who is not an officer or employee of CCOG, the County or City (Refer to CCR Sections 6661 and 6751).
 - c. Designate an independent entity to conduct a performance audit of CCOG and public transit activities with respect to the TDA pursuant to Public Utilities Code Section 99246. The performance audit must be submitted to the Director of the Department of Transportation by July 1st triennially (Refer to CAC Section 6662.5).
3. Develop and Manage the Overall Work Program
 - a. Review applications for funding and distribute funding to Member Agencies according to the process identified in the CCOG Policies and

Procedures Manual.

4. Develop, Adopt and Implement the Regional Transportation Plan.
 - a. Prepare and update the RTP as required by State and Federal law, per the CCOG Policies and Procedures Manual.
- 5.. Prepare, adopt and submit the Regional Transportation Improvement Program (RTIP), per the CCOG Policies and Procedures Manual.
6. Prepare and update the Calaveras Transit Short Range Transit Plan as required for State and Federal funding.
7. Encourage citizen participation through various means, including public notices and the CCOG website.
8. Provide assistance to Member Agencies. Collect, analyze and disseminate information which will be of value to Member Agencies, including Federal census data and information on State and Federal aid programs. Provide technical assistance as may be requested by Member Agencies.
9. Represent the Calaveras County region before State and Federal governments on countywide problems, issues and needs.

C. Manner of Exercising Power

Pursuant to Government Code Section 6509, the powers of CCOG are subject to the restrictions in the manner of exercising such powers as are imposed upon the Member Agencies in the exercise of similar powers. For the purposes of determining the restrictions to be imposed on the CCOG in its manner of exercising its powers pursuant to Government Code Section 6509, reference shall be made to, and the CCOG shall observe, the restrictions imposed upon the County of Calaveras. CCOG shall be held strictly accountable for all funds received, held and disbursed by it.

1. CCOG Staff shall have the authority to examine issues as requested by Member and Non-Member Agencies and present recommendations to the CCOG. However, CCOG may not implement tasks beyond those identified above without approval by a simple majority vote of the CCOG and concurrence of the affected agencies.
2. CCOG shall have no authority or jurisdiction to impose any land use requirements on the owner, developer, or occupant of any property, nor shall CCOG mandate that any public entity adopt any such requirement. CCOG shall have no authority or jurisdiction with respect to land use planning, spheres of influence, or land use approvals. Further, no action by CCOG will change, reduce, or interfere with the local authority and decision-making of the County or City.

3. CCOG may state concerns or recommendations based on a project's conformity with the RTP and/or RTIP; however may not approve or deny development projects.
4. The debts, liabilities, and obligations of the CCOG shall not constitute debts, liabilities, or obligations of the Member Agencies, either jointly or severally consistent with Government Code Section 6508.1

D. Powers of Member Agencies

Nothing contained in this Agreement shall be construed as limiting in any manner the power of the Member Agencies, or other public agencies in the City or County, from initiating or completing a public project within its respective jurisdiction. The CCOG shall take no action to preclude, inhibit or discourage any appeal by any Member Agency, or other public agency in the City or County, to any agency for financial or other assistance, when eligibility for or receipt of such assistance is available to the respective agency without regard to the recommendation of CCOG.

The County and City shall be directly responsible for planning, design, environmental and management of construction projects, while the CCOG facilitates the programming, regional non-project specific planning and funding of projects (i.e. RTP, RTIP) unless there is an approval from the respective member agencies governing body, to allow CCOG to be the lead agency for a particular project

County/City Planning staff will be solely responsible for all aspects of project review and approval including but not limited to: application processing, special studies (i.e. biological, archeological etc), environmental review as required by the California Environmental Quality Act (CEQA) and/or the National Environmental Policy Act (NEPA), associated coordination and administration of consultant contracts if needed and all required project entitlements unless there is an approval from the respective Member Agency's governing body, to allow CCOG to be the lead agency for a particular project.

Federal or state mandated plans or standards which establish requirements which Member Agencies must implement or meet in order to avoid sanctions or qualify for funds shall only be adopted after receiving a majority vote from both Member Agencies and after receiving the approval of the governing bodies of the City and County which are affected by such plan or standard.

In all matters pertaining to the adoption or amendment of area-wide plans and programs, should a plan adopted by the Member Agencies subsequently become mandatory by federal or state law, ratification of such plan shall be required in the manner stated in the above paragraph.

County Community Plans, Specific Plans and Master Plans exist within the framework of the legally established City or County General Plan. As such, all future projects related to the development, maintenance, modification and/or amendment of said plans shall be solely at the discretion of the City Council or County Board of Supervisors, as applicable.

E. Public Transit

1. The County shall be responsible for the administration, operation and management of the public transit system.
2. The CCOG shall be responsible for performing all RTPA functions as required by the TDA, FTA and other State and Federal programs.

Any changes to CCOG's status as the Calaveras region's RTPA must be approved by the governing bodies of both Member Agencies.

IV. REQUIRED RECORDS, REPORTS & AUDITS**A. Records & Reporting Requirements**

1. The CCOG shall cause to be kept accurate and correct books of account, showing in detail the costs of administration, bond interest, bond redemption, operation and maintenance, and all financial transactions of the CCOG. Said books of account shall be open to inspection at all times by any representative of any of the parties hereto, or by any accountant or other person authorized by any party hereto to inspect said books of account. The Auditor-Controller shall, in accordance with Section 6505 of the Government Code, cause the books of account and other financial records of CCOG to be audited annually. The financial transactions of the CCOG shall be accounted for separately and its records kept for the period of time required under applicable laws and regulations.

B. Transit Service Claimants (the County)

1. Claimants shall keep and maintain accurate and complete records and shall prepare an annual report of their operation in accordance with the Uniform System of Accounts and Records adopted by the State Controller pursuant to PUC Section 99243. The report shall be submitted to the Executive Director of the CCOG and to the State Controller within applicable guidelines. (Refer to CCR Section 6637)

C. Non-transit Claimants (the City and the County)

1. The City and the County shall keep and maintain accurate and complete records per standard principles of accounting. Such records shall be kept for a minimum of four years. Expenditure of moneys received for any non-transit purposes shall be reported to the State Controller on or before October 1, of each fiscal year. (Refer to CCR Section 6665 and PUC 99406)

- D. **Treasurer** The Finance Officer of the City and/or Treasurer of the County shall be the Treasurer of the CCOG, as determined by the CCOG. The Treasurer shall:

1. Receive and receipt all money of the CCOG and place it in the treasury of the City and/or County to the credit of CCOG.
2. Be responsible upon the Treasurer's official bond for the safekeeping and disbursement of all CCOG money held by the Treasurer.
3. Pay any sums due from the CCOG from the CCOG funds held by the Treasurer or any portion thereof, upon warrants of the Auditor-Controller designated herein.
4. Verify and report in writing on the first day of July, October, January and April of each year to the CCOG and its Member Agencies, upon request by it, the amount of money the Treasurer holds for the CCOG, the amount of receipts and disbursements since the Treasurer's last report, and any interest accrued to those funds.

E. Auditor-Controller The Finance Officer of the City and/or Auditor-Controller of the County shall be the Controller for the CCOG, as determined by the CCOG. The Auditor-Controller shall:

1. Draw warrants to pay demands against the CCOG when the demands have been approved by the CCOG and/or the CCOG Executive Director. The Controller shall be responsible for on the Controller's official bond for the Controller's approval of disbursements of the CCOG money.
2. Keep and maintain records and books of account on the basis of generally accepted accounting standards.
3. Make an audit of, or make available, all financial records of the CCOG to a certified public accountant or public accountant contracted by the CCOG to make an audit of the accounts and records of the CCOG as required by Government Code Section 6505.

F. Approvals The Executive Director of the CCOG and the Chairperson of the CCOG shall together have the power to approve the auditor demands against the CCOG. The Vice Chairperson of the CCOG shall be substituted in the absence or vacancy of the Chairperson. The Administrative Analyst shall be substituted in the absence or vacancy of the Executive Director.

G. Annual Fiscal & Compliance Audits

CCOG. Annually and within 90 days after the end of the fiscal year, the County Auditor shall submit a report of a fiscal audit of the financial statements of the CCOG LTF and STA accounts to the Executive Director and the CCOG, and the State Controller. The audit shall be conducted in accordance with generally accepted auditing standards by the State Auditor Control let or by a certified public accountant who is not an officer or employee of the CCOG, the City of Angels, or the County of Calaveras. (Refer to Sections 6661 and 6751)

All Claimants (the City and County). Annually and within 90 days after the end of the fiscal year (December 27), each claimant shall submit a report of a fiscal and compliance audit to the Executive Director and the CCOG. The audit (s) shall be conducted by independent auditors. (Refer to Sections 6664, 6666, 6667)

H. CCOG Triennial Performance Audit

The CCOG shall designate an independent entity to conduct a performance audit of its activities with respect to the TDA pursuant to Public Utilities Code Section 99246. The performance audit shall be submitted to the Executive Director and the CCOG, and the Director of the Department of Transportation by July 1, 1980, and by July 1 triennially thereafter. (Refer to CAC Section 6662.5)

I. Annual Budget

1. On or before March 1st of each year, CCOG shall prepare a budget estimate of the expenses of conducting the CCOG for the ensuing fiscal year, as identified in the CCOG Policies and Procedures Manual.
2. The budget estimate will be in such form as CCOG may prescribe using guidelines of the California State Controller. The budget estimate shall contain a summary of the fiscal policy of the CCOG for the budget year and shall include all data showing the relation between the total proposed expenditures and the total anticipated income or other means of financing the budget for the ensuing year, contrasted with the actual year-to-date income and expenditures plus estimated remaining income and expenditures for the current year.
3. After preparation of the budget estimate, the CCOG shall fix a time and place for hearing by the CCOG thereon. The CCOG shall cause notice of such hearing to be published at least ten (10) days prior to the date set for hearing in a newspaper of general circulation in the area pursuant to Sections 6060 and 6061 of the Government Code, and shall give mailed notice if such hearing to each Member Agency.
 - a. At the budget hearing, the CCOG may increase or decrease any item in the budget estimate and may delete any item there from or add any item thereto.
 - b. Upon the conclusion of the budget hearing and not later than June 1st of each year, the CCOG shall approve the budget estimate, as revised by CCOG, and thereupon the same shall constitute the final budget for the ensuing fiscal year.

V. TERMINATION AND DISSOLUTION

1. This Agreement shall continue in force for a term of five (5) years. Upon the term of this Agreement, Member Agencies shall review the JPA. If both Member Agencies have no cause to amend the Agreement, this Agreement shall

automatically extend another five years. This process will continue for the life of the CCOG. This Agreement may only be amended by an amendment signed by both the County and City.

2. Termination. This Agreement may be terminated at any time by either Member Agency by giving at least one-hundred and eighty (180) days notice in writing prior to the termination date specified in the notice of termination.
3. Continuation of Authority. In the event of termination, the CCOG shall have continuing authority to take action upon all applications filed with it prior to receipt of the one-hundred and eighty day (180) day notice of termination, and shall take action with respect thereto as required by the law, regulation or policy established by the entity or individual from which financial or other assistance is being sought by the application. As soon as reasonably possible, CCOG shall transfer authority over such applications to a successor entity, such as the Local Transportation Commission.
4. Local Transportation Commission. In the event of termination of this Agreement, the CCOG shall be dissolved and replaced by a Local Transportation Commission.
5. Distribution of Assets. In the event of termination of this Agreement, where there is a successor public entity as agreed upon by the County and City that will conduct all activities and assume all of its obligations, any and all CCOG assets and liabilities remaining upon termination will be transferred to the successor public agency.
6. Surplus Funds. In the event of termination, all funds in the treasury and unencumbered shall be returned pro-rata to the entity or individual from which they received unless return is refused, in which event the funds shall be disbursed to the Member Agencies in proportion to the size of the jurisdiction as delineated in the latest California Department of Finance estimate of population.
7. Staff Reallocation. In the event of termination, CCOG staff shall revert to LTC staff. The Executive Director of the CCOG shall serve at the pleasure of the LTC as an at-will employee.

VI. CCOG POLICIES AND PROCEDURES MANUAL


The CCOG Policies and Procedures Manual is intended to govern the day-to-day operation of the CCOG. The Policies and Procedures Manual shall be incorporated by reference to this Agreement. To the extent that Policies and Procedures Manual is in conflict with this Agreement, the terms and provisions of this Agreement take precedence. All amendments to the Manual must be approved by the CCOG.

CITY OF ANGELS CAMP

By 
City of Angels Camp, Mayor

Date: 10-7-15

COUNTY OF CALAVERAS

By 
County Board of Supervisors, Chair

Date: 9-22-15