

**FIRST AMENDMENT TO AMENDED AND RESTATED JOINT EXERCISE
OF POWERS AGREEMENT FOR THE OPERATION
OF THE REDDING AREA BUS AUTHORITY**

The Amended and Restated Joint Exercise of Powers Agreement dated December 16, 1997, between the County of Shasta, City of Anderson, City of Shasta Lake and City of Redding (collectively, the "Participating Agencies") is hereby amended.

WHEREAS, since November 1976, the County of Shasta and City of Redding (the "Parties") have been members of a Joint Powers Agreement, known as the Redding Area Bus Authority (RABA), for the purpose of providing transit and transportation services within their respective jurisdictions; and

WHEREAS, the Joint Powers Agreement has been amended from time to time with the most recent being the Amended and Restated Joint Exercise of Powers Agreement (the "Agreement") dated December 16, 1997; and

WHEREAS, Section D.2. of the Agreement defines the service area of RABA as certain urbanized portions of Shasta County, including all areas within the cities of Redding, Anderson, and Shasta Lake, and certain adjacent areas in the unincorporated area of the County of Shasta, as depicted on an attached Exhibit A; and

WHEREAS, Section B.2. of the Agreement provides that RABA may provide transit services outside of the RABA service area as may be determined by separate service agreements with individual participating agencies; and

WHEREAS, by this Amendment, the Parties intend to broaden the scope of the service area to include all incorporated and unincorporated areas of the County of Shasta; and

WHEREAS, by this Amendment, the Parties also intend to authorize service outside of the defined service area in cases where there is a benefit to the residents of the County of Shasta.

NOW, THEREFORE, the Participating Agencies incorporate and adopt the recitals set forth herein and agree to amend the Amended and Restated Joint Exercise of Powers Agreement dated December 16, 1997, as follows:

I. The **RECITALS** are amended to read in their entirety as follows:

WHEREAS, the parties desire to coordinate their efforts to provide public transportation services for the benefit of the residents of the County of Shasta through a single public agency to the extent feasible; and

WHEREAS, to affect such coordination the parties wish to establish an authority to operate a public transit system serving the Cities of Redding, Anderson and Shasta Lake, and unincorporated Shasta County (collectively to be referred to as the "RABA Service Area"), pursuant to the Joint Exercise of Powers Act (commencing with Section 6500 of the Government Code); and


WHEREAS, by the formation of a new joint powers authority ("JPA") the cities of Anderson and Shasta Lake can formally join the City of Redding and the County of Shasta in governing the delivery of local public transportation services.

- II. Section B. is amended to read as follows:
- B. Powers and Duties. RABA shall have the following powers and duties, each to be exercised by approval of the RABA Board:
- III. Section B.2. is amended to read in its entirety as follows:
2. Provide transit services outside the RABA Service Area as may be determined by separate service agreements with individual participating agencies provided that there is benefit to the residents of the County of Shasta.
- IV. Section D.1. is amended to read in its entirety as follows:
1. The RABA Service Area is the incorporated and unincorporated areas within the County of Shasta.
- V. Section K. is added in its entirety to read as follows:
- K. Counterparts/Electronic, Facsimile, and PDF Signatures
- This agreement may be executed in any number of counterparts, each of which will be an original, but all of which together will constitute one instrument. Each Party of this agreement agrees to the use of electronic signatures, such as digital signatures that meet the requirements of the California Uniform Electronic Transactions Act ("CUETA") Cal. Civ. Code §§ 1633.1 to 1633.17), for executing this agreement. The Parties further agree that the electronic signatures of the Parties included in this agreement are intended to authenticate this writing and to have the same force and effect as manual signatures. Electronic signature means an electronic sound, symbol, or process attached to or logically associated with an electronic record and executed or adopted by a person with the intent to sign the electronic record pursuant to the CUETA as amended from time to time. The CUETA authorizes use of an electronic signature for transactions and contracts among Parties in California, including a government agency. Digital signature means an electronic identifier, created by computer, intended by the party using it to have the same force and effect as the use of a manual signature, and shall be reasonably relied upon by the Parties. For purposes of this section, a digital signature is a type of "electronic signature" as defined in subdivision (h) of Section 1633.2 of the Civil Code. Facsimile signatures or signatures transmitted via pdf document shall be treated as originals for all purposes.
- VI. Exhibit A is hereby removed from the Amended and Restated Joint Exercise of Powers Agreement dated December 16, 1997, and shall have no further force or effect.
- VII. All other terms and conditions of the Amended and Restated Joint Exercise of Powers Agreement dated December 16, 1997, shall remain in full force and effect.
- VIII. The date of this Amendment shall be the date that it is signed by the last of the Participating Agencies.

IN WITNESS WHEREOF, the Participating Agencies have executed this Amendment on the days and year set forth below:

**CITY OF REDDING,
A Municipal Corporation**

Dated: 3/22/2024, 2024


By: TENESSA AUDETTE, Mayor

ATTEST:


APPROVED AS TO FORM:
Christian Curtis
City Attorney


SHARLENE TIPTON, City Clerk



COUNTY OF SHASTA

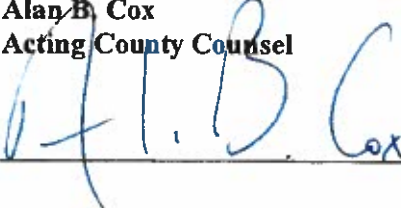
DATED: 2/27, 2024


By: Kevin W. COX, Chair

ATTEST:

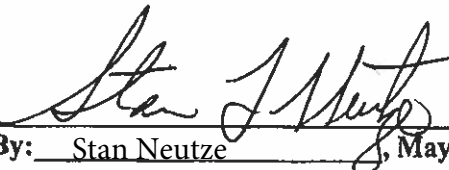
APPROVED AS TO FORM:
Alan B. Cox
Acting County Counsel


Kristin Swanson, Clerk of the Board


Alan B. Cox 2/9/24


CITY OF ANDERSON

DATED: 4-10-2024, 2024


By: Stan Neutze, Mayor

ATTEST:

APPROVED AS TO FORM:
Colin Bogener
City Attorney


Christy White, City Clerk



CITY OF SHASTA LAKE

DATED: March 25, 2024

Terrie Powell
By: Terrie Powell, Mayor

ATTEST:

APPROVED AS TO FORM:

John Kenny
City Attorney

Charity Tallone
Charity Tallone, City Clerk

John Kenny

SHASTA COUNTY
RISK MANAGEMENT APPROVAL

BY: James Johnson
James Johnson
Risk Manager